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सं. 2] नई दिल्ली, जनवरी 8—जनवरी 14, 2012, शनिवार/पौष 18—पौष 24, 1933
No. 2] NEW DELHI, JANUARY 8—JANUARY 14, 2012, SATURDAY/PAUSA 18—PAUSA 24, 1933

भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह पृथक संकलन के रूप में रखा जा सके
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India
(Other than the Ministry of Defence)

कार्मिक, लोक शिकायत तथा पेंशन मंत्रालय
(कार्मिक और प्रशिक्षण विभाग)

नई दिल्ली, 30 दिसम्बर, 2011

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES
AND PENSIONS
(Department of Personnel and Training)

New Delhi, the 30th December, 2011

का.आ. 100.—केन्द्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उप-धारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, दिल्ली उच्च न्यायालय, नई दिल्ली में विशेष न्यायाधीश के न्यायालय में (2 जी स्पेक्ट्रम मामले) केन्द्रीय अन्वेषण ब्यूरो, नई दिल्ली द्वारा अन्वेषण किए गए 2 जी स्पेक्ट्रम मामलों से संबंधित अपील, पुनरीक्षण तथा अपीलीय तथा पुनरीक्षण न्यायालयों में अभियोजन का संचालन करने के लिए केन्द्रीय अन्वेषण ब्यूरो के रिटेनर कार्डसिल श्रीमती सोनिया माथुर, वकील को विशेष लोक अभियोजक के रूप में नियुक्त करती है।

S.O. 100.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints Smt. Sonia Mathur, Advocate, a Retainer Counsel of Central Bureau of Investigation in the Delhi High Court at New Delhi as Special Public Prosecutor for conducting prosecution, appeals/revisions or other proceedings arising out of cases related to 2G Spectrum cases investigated by the Delhi Special Police Establishment in the Court of Special Judge (2G Spectrum cases), Central Bureau of Investigation, New Delhi and appellate/revisional courts.

[फा. सं. 225/17/2011-एवीडी-II (भाग-I)]

राजीव जैन, अवर सचिव

[F. No. 225/17/2011-AVD-II (Part-I)]

RAJIV JAIN, Under Secy.

नई दिल्ली, 30 दिसम्बर, 2011

का.आ. 101.—केन्द्रीय सरकार एतद्वारा अपराध प्रक्रिया संहिता, 1973 (1974 का अधिनियम संख्या 2) की धारा 24 की उप-धारा (8) में प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय अन्वेषण ब्यूरो, नई दिल्ली (2 जी स्पेक्ट्रम मामलों) विशेष न्यायाधीश के न्यायालय में 2 जी स्पेक्ट्रम से संबंधित मामलों के अभियोजन का संचालन करने में तथा इस क्रम में उद्भूत अथवा इससे संबंधित अन्य किसी मामले में श्री यू. यू. ललित, विशेष सलाहकार की सहायता के लिए निम्नोक्त वकीलों की विशेष लोक अभियोजक के रूप में नियुक्त करती है :-

1. श्री मेहुल शर्मा
2. श्री शुभ्रांशु पाधी
3. श्री जीसल बाही
4. श्री कबीर शंकर बोस
5. श्री संग्राम सिंह सरोन
6. श्री सिदेश कोटवाल
7. श्री विवेक चंद्रशेखर
8. श्री गुंदुर प्रमोद कुमार
9. कु. प्रेरणा सिंह
10. श्री निखिल बोरवांकर

[फा. सं. 225/17/2011-एवीडी-II (भाग-I)]
राजीव जैन, अवर सचिव

New Delhi, the 30th December, 2011

S.O. 101.—In exercise of the powers conferred by sub-section (8) of Section 24 of the Code of Criminal Procedure, 1973 (Act No. 2 of 1974), the Central Government hereby appoints the following Advocates as Special Public Prosecutor to assist Shri U. U. Lalit, Special Counsel in conducting prosecution of cases related to 2G Spectrum in the Court of Special Judge (2G Spectrum cases), Central Bureau of Investigation, New Delhi and any other matter connective therewith or incidental thereto.

- (1) Shri Mehul Sharma
- (2) Shri Shubhramshu Padhi
- (3) Shri Jesal Wahi
- (4) Shri Kabir Shankar Bose
- (5) Shri Sangram Singh Saron

(6) Shri Siddhesh Kotwal

(7) Shri Vivek Chandrasekhar

(8) Shri Guntur Pramod Kumar

(9) Ms. Prerna Singh

(10) Shri Nikhil Borwankar

[F. No. 225/17/2011-A VD-II (Part-I)]

RAJIV JAIN, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

(सीमा शुल्क, केन्द्रीय उत्पाद शुल्क व सेवा कर आयुक्त का कार्यालय
हैदराबाद-III आयुक्तालय)

हैदराबाद, 5 दिसम्बर, 2011

सं. 04/2011-कस. (एन टी)

का.आ. 102.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली की अधिसूचना सं. 33/94-कस्टम्स (एन टी), दिनांक 1-7-1994 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं आंध्र प्रदेश राज्य के नालगोंडा जिले के बोम्मलारामरम क्षेत्र के चीकटीमामिडी गांव की सर्वेक्षण सं. 179 की 5.29 एकड़ भूमि और सर्वेक्षण सं. 180 की 0.31½ भूमि को, सीमा शुल्क अधिनियम, 1962 (1962 के 52) की धारा 9 के अंतर्गत, निजी गैर सरकारी अनुबंधबद्ध भंडागारण (100% निर्यात आधारित इकाई) के उद्देश्य से भंडारण स्टेशन के रूप में घोषित करता हूँ।

[फा. सी. सं. VIII/48/24/2011-तक.कस.]
अशोक, आयुक्त

MINISTRY OF FINANCE

(Department of Revenue)

(OFFICE OF THE COMMISSIONER OF CUSTOMS,
CENTRAL EXCISE AND SERVICE TAX
HYDERABAD-III COMMISSIONERATE)

Hyderabad, the 5th December, 2011

No. 04/2011-Cus. (NT)

S.O. 102.—In exercise of the powers conferred by Notification No. 33/94 - Customs (NT) dated 1-7-1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare 5.29 Acres of Land in Sy. No. 179 and 0.31 ½ Acres of and in Sy. No. 180 in Cheekatimamidi Village, Bommalaramaram Mandal, Nalgonda District, in the state of Andhra Pradesh, to be a Warehousing Station under Section 9 of the Customs Act, 1962 (52 of 1962) for the purpose of licensing of Private Bonded Warehouse (100% Export Oriented Unit).

[F. C. No. VIII/48/24/2011-Tech.-Cus.]

ASHOK, Commissioner

हैदराबाद, 30 दिसम्बर, 2011

सं. 05/2011-कस. (एन टी)

का.आ. 103.—भारत सरकार, वित्त मंत्रालय, राजस्व विभाग, नई दिल्ली की अधिसूचना सं. 33/94-कस्टम्स (एन. टी.), दिनांक 1-7-1994 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैं आंध्र प्रदेश राज्य के नालगोंडा जिले के नारकेटपल्ली क्षेत्र के येल्लारेड्डीगुडा गांव की सर्वेक्षण सं. 174 से 179 तक की भूमि को, सीमा शुल्क अधिनियम, 1962 (1962 के 52) की धारा 9 के अंतर्गत, 100 प्रतिशत निर्यात आधारित इकाई के गठन के प्रयोजन के लिए भंडारण स्टेशन के रूप में घोषित करता हूं।

[फा. सी. सं. VIII/48/28/2011-कस.]

अशोक, आयुक्त

Hyderabad, the 30th December, 2011

No. 05/2011-Cus. (NT)

S.O. 103.—In exercise of the powers conferred by Notification No. 33/94-Customs (NT) dated 1-7-1994 of the Government of India, Ministry of Finance, Department of Revenue, New Delhi, I hereby declare the land at Survey Nos. 174 to 179 of Yellareddyguda Village, Narketpally Mandal, Nalgonda District, in the State of Andhra Pradesh to be a Warehousing Station under Section 9 of the Customs Act, 1962 (52 of 1962) for the purpose of setting up of 100% Export Oriented Unit.

[F.C. No. VIII/48/28/2011-Cus.]

ASHOK, Commissioner

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य और परिवार कल्याण विभाग)

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 104.—केन्द्रीय सरकार, भारतीय चिकित्सा परिषद् अधिनियम, 1956 (1956 का 102) की धारा 11 की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारतीय आयुर्विज्ञान परिषद् से परामर्श करने के बाद मानद विश्वविद्यालय के नाम में परिवर्तन होने के कारण एतद्वारा उक्त अधिनियम की प्रथम अनुसूची में निम्नलिखित और संशोधन करती है, अर्थात् :—

(क) “आगरा विश्वविद्यालय/डॉ. बी. आर. अम्बेडकर विश्वविद्यालय, आगरा”, के समक्ष शीर्षक “मान्यताप्राप्त चिकित्सा अर्हता” [इसके बाद कॉलम (2) के रूप में संदर्भित] के अंतर्गत शीर्षक “पंजीकरण के लिए संक्षेपण” [इसके बाद कॉलम (3) के रूप में संदर्भित] के अंतर्गत अंतिम प्रविष्टि एवं उससे संबंधित प्रविष्टि के बाद निम्नलिखित अंतःस्थापित किया जाएगा, अर्थात् :—

2

3

“मास्टर ऑफ सर्जरी
(अस्थि रोग विज्ञान)”

एम.एस. (आर्थो)

(यह एक मान्यता प्राप्त चिकित्सा अर्हता होगी जब यह एस. एन. मेडिकल कॉलेज, आगरा (उत्तर प्रदेश) में प्रशिक्षित किए जा रहे विद्यार्थियों के बारे में आगरा विश्वविद्यालय/डॉ. बी. आर. अम्बेडकर विश्वविद्यालय, आगरा, द्वारा 1976 में अथवा उसके बाद प्रदान की गई हो।)

[फा. सं. यू. 12012/95/2011-एमई (पी. II)]

अनीता त्रिपाठी, अवर सचिव

सभी के लिए टिप्पणी : 1 स्नातकोत्तर पाठ्यक्रम को प्रदान की गई ऐसी मान्यता की अधिकतम अवधि 5 वर्षों के लिए होगी जिसके उपरान्त इसका नवीकरण करना होगा।

2. मान्यता को उप-खंड 4 की आवश्यकता के अनुसार समय पर नवीकरण न कराए जाने पर संबंधित स्नातकोत्तर पाठ्यक्रम में प्रवेश निरपवाद रूप से बंद हो जाएंगे।

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health and Family Welfare)

New Delhi, the 20th December, 2011

S.O. 104.—In exercise of the powers conferred by sub-section (2) of the Section 11 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government, after consulting the Medical Council of India, hereby makes the following further amendments in the First Schedule to the said Act, due to change in name of affiliating University namely:—

(a) against “Agra University/Dr. B. R. Ambedkar University, Agra” under the heading ‘Recognised Medical Qualification’ [hereinafter referred to as column (2)], after the last entry and entry relating thereto under the heading ‘Abbreviation for Registration’ [hereinafter referred to as column (3)], the following shall be inserted, namely :—

(2)

(3)

“Master of Surgery
(Orthopaedics)”

MS (Ortho.)

This shall be a recognised medical qualification when granted by Agra University./Dr. B. R. Ambedkar University, Agra in respect of students being trained at S. N. Medical College, Agra (Uttar Pradesh) on or after 1976.

Not to call: 1. The recognition so granted to a Postgraduate Course shall be for a maximum period of 5 years, upon which it shall have to be renewed.

2. Failure to seek timely renewal of recognition as required in sub-clause-4 shall invariably result in stoppage of admissions to the concerned Postgraduate Course.

[No.U.12012/95/2011-ME(P.II)]

ANITA TRIPATHI, Under Secy

मानव संसाधन विकास मंत्रालय

(उच्चतर शिक्षा विभाग)

(राजभाषा यूनिट)

नई दिल्ली, 30 दिसम्बर, 2011

का.आ. 105.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजना के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम 4 के अनुसरण में, मानव संसाधन विकास मंत्रालय (उच्चतर शिक्षा विभाग) के अंतर्गत शिक्षता प्रशिक्षण बोर्ड, (उ. क्षे.), कानपुर को ऐसे कार्यालय के रूप में, जिसके 80 प्रतिशत से अधिक कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[सं. 11011-1/2011-रा.भा.ए.]

अनन्त कुमार सिंह, संयुक्त सचिव

MINISTRY OF HUMAN RESOURCE
DEVELOPMENT

(Department of Higher Education)

(O.L. UNIT)

New Delhi, the 30th December, 2011

S.O. 105.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules, 1976, the Central Government hereby notifies Board of Apprenticeship Training, (N.R.) Kanpur under the Ministry of Human Resource Development, (Deptt. of Higher Education) as office, whose more than 80% members of the staff have acquired working knowledge of Hindi.

[No.11011-1/2011-O.L.U.]

ANANT KUMAR SINGH, Jt. Secy.

सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय

नई दिल्ली, 3 जनवरी, 2012

का.आ. 106.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजना के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम

(4) के अनुसरण में, सूक्ष्म, लघु और मध्यम उद्यम मंत्रालय के नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनके 80 प्रतिशत से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है :—

1. महात्मा गांधी ग्रामीण औद्योगीकरण संस्थान, मगनवाड़ी, वर्धा-442 001 (महाराष्ट्र)।
2. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम लिमिटेड, 105-106, होटल विराज बिल्डिंग, गुरुदेव कमर्शियल कॉम्प्लेक्स के सामने, सायली रोड, सिलवासा-396 230 (दादर एवं नागर हवेली संघ गणराज्य)।
3. शाखा कार्यालय, राष्ट्रीय लघु उद्योग निगम लिमिटेड, 104, पहली मंजिल, मन्ना-सूर्ती कॉम्प्लेक्स, डॉक्टर कॉलोनी, कंकरबाग, पटना-800 020 (बिहार)।
4. राज्य कार्यालय, खादी और ग्रामोद्योग आयोग, पोस्ट-बी. वी. कॉलेज, शेखपुरा, पटना-800 014 (बिहार)।

[सं. ई. 12016/01/2005-हिन्दी]

अमरेंद्र सिन्हा, अपर सचिव

MINISTRY OF MICRO, SMALL AND
MEDIUM ENTERPRISES

New Delhi, the 3rd January, 2012

S.O. 106.—In pursuance of sub-rule (4) of Rule 10 of the Official Language (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies the following offices, under the control of the Ministry of Micro, Small & Medium Enterprises, whose more than 80% staff has acquired working knowledge in Hindi :—

1. Mahatma Gandhi Institute for Rural Industrialisation, Maganwadi, Wardha-442001 (Maharashtra).
2. Branch Office, National Small Industries Corporation Ltd., 105-106, Hotel Viraj Building, Opposite Gurudev Commercial Complex, Sayli Road, Silvassa-396230 (UT of Dadra & Nagar Haveli).
3. Branch Office, National Small Industries Corporation Ltd., 104, 1st Floor, Manna Surti Complex, Doctors Colony, Kankarbagh, Patna 800 020 (Bihar).
4. State Office, Khadi and Village Industries Commission, Post- B.V. College, Sheikhpura, Patna-800 014 (Bihar).

[No. E-12016/01/2005-Hindi]

AMARENDRA SINHA, Addl. Secy.

उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

(उपभोक्ता मामले विभाग)

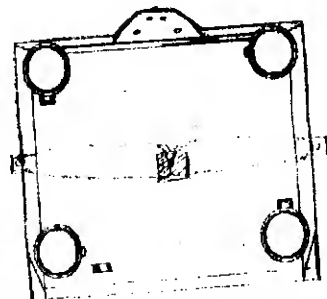
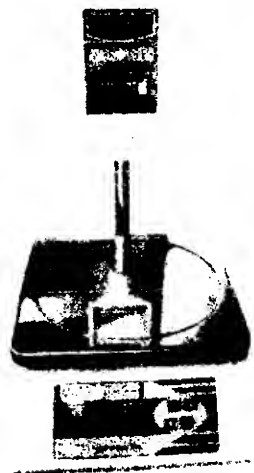
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 107.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स माइक्रोटैक वेइंग सिस्टम, न. 9-6-439, अनामिका कॉम्प्लैक्स, ज्योति बैटरी के पास, गांधी गंज रोड, बिडार-595403, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एमटी-टीबी" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "माइक्रोटैक" है (जिसे इसमें पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/366 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 50 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनलात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले और "ई" मान $1 \times 10^*$, $2 \times 10^*$, या $5 \times 10^*$ के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(212)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION
(Department of Consumer Affairs)

New Delhi, the 23rd September, 2011

S.O. 107.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of medium accuracy (Accuracy class-III) of series "MT-TB" and with brand name "MICROTECH" (hereinafter referred to as the said model), manufactured by M/s Microtech Weighing System, No. 9-6-439, Anamica Complex, Near Jyoti Battery, Gandhi Ganj Road, Bidar-585403, Karnataka and which is assigned the approval mark IND/09/11/366;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30kg. and minimum capacity of 100 g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure-1

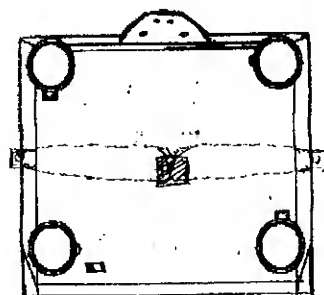
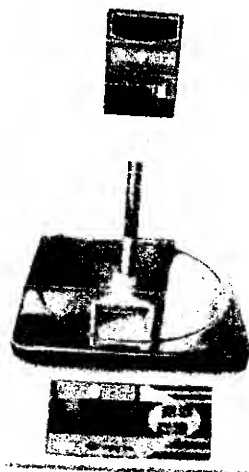


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(212)/2011]

B. N. DIXIT, Director of Legal Metrology

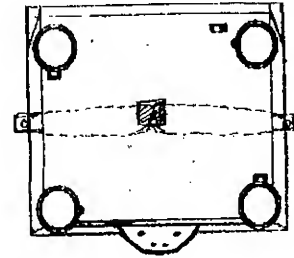
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 108.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स माइक्रोटैक वेइंग सिस्टम, नं. 9-6-439, अनामिका कॉम्प्लैक्स, ज्योति बैटरी के पास, गांधी गंज रोड, बिडार-595403, कर्नाटक द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले “एमटी-पीएस” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “माइक्रोटैक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/367 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 : मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10के, 2×10के या 5×10के, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(212)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप, विज्ञान

New Delhi, the 23rd September, 2011

S.O. 108.— Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "MT-PS" and with brand name "MICROTECH" (hereinafter referred to as the said model), manufactured by M/s. Microtech Weighing System, No. 9-6-439, Anamica Complex, Near Jyoti Battery, Gandhi Ganj Road, Bidar-585403, Karnataka and which is assigned the approval mark IND/09/11/367;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Display (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure-1

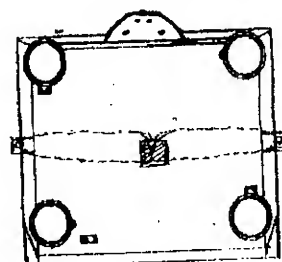


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(212)/2011]

B. N. DIXIT, Director of Legal Metrology

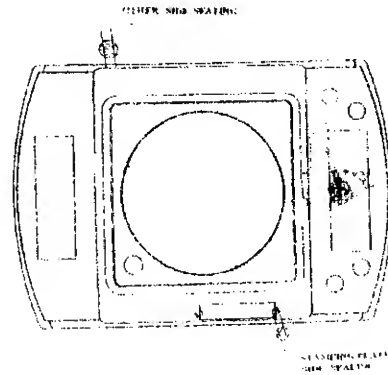
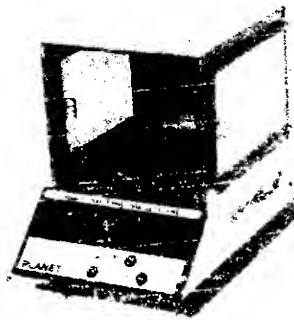
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 109.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स जय मार्केटिंग, बी-3, प्रथम तल, सहजानन्द मार्केट, पनकोरनाका, अहमदाबाद-1, गुजरात द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग 1) वाले "पी ए" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "पीएलएनईटी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/343 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक मैग्नेटिक फोर्स कम्पेनसेशन प्रिंसिपल पर आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 1 कि.ग्रा. और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के वेम प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही संक. यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या अधिक के "ई" मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं जो भ्रूणवत्क या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम 21 (196)-(2011)]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 109.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of special accuracy (Accuracy class-I) of series "PA" and with brand name "PLANET" (hereinafter referred to as the said model), manufactured by M/s. Jay Marketing, B-3, 1st Floor, Shahjanand Market, Pankornaka, Ahmedabad-1, Gujarat and which is assigned the approval mark IND/09/11/343;

The said model is a Electro Megnetic Force Compensation Principle based non-automatic weighing instrument (Table Top type-EMFC based) with a maximum capacity of 1kg. and minimum capacity of 1g. The verification scale interval (e) is 10 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure-1

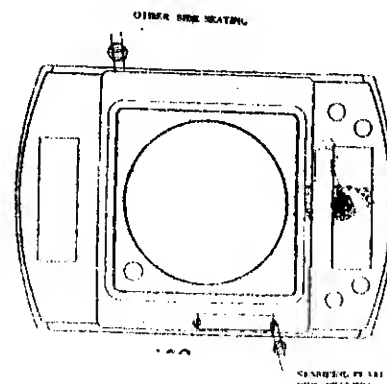
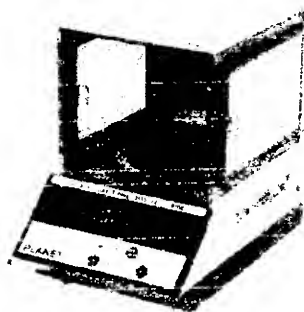


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Motrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 50000 or more for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(196)/2011]

B. N. DIXIT, Director of Legal Metrology

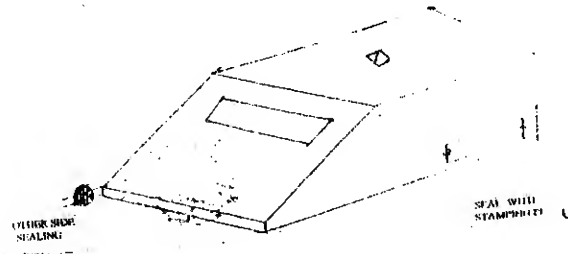
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 110.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जय मार्केटिंग, बी-3, प्रथम तल, सहजानन्द मार्केट, पनकोरनाका, अहमदाबाद-1, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "पी बी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "पीएलएएनईटी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/344 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्त है जिसका शत-प्रतिशत व्यवकलनात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(196)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 110.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, justified that the model described in the said report (see the figure given below) is in conformity with the provisions of Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High accuracy (Accuracy class-II) of series "PB" and with brand name "PLANET" (hereinafter referred to as the said model), manufactured by M/s. Jay Marketing, B-3, 1st Floor, Shahjanand Market, Pankornaka, Ahmedabad-1, Gujarat and which is assigned the approval mark IND/09/11/344;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure-1

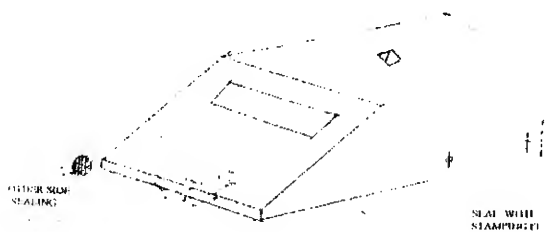
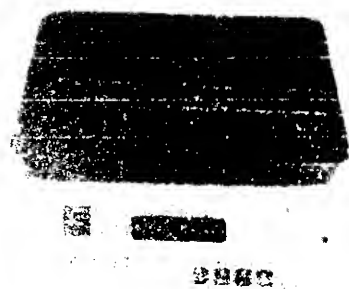


Figure-2 Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by a wire in base plate and top cover of display. The seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board for access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive whole number or equal to zero manufactured by the same manufacturer in accordance with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(196)/2011]

B. N. DIXIT, Director of Legal Metrology

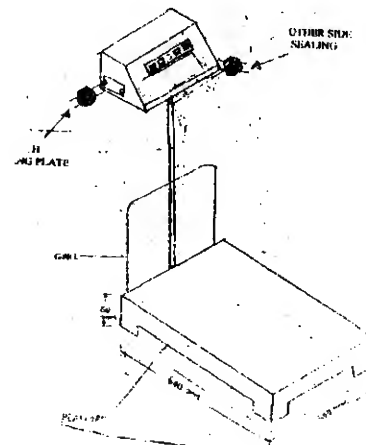
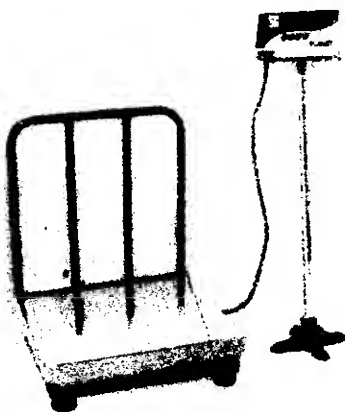
नई दिल्ली, 23 सितम्बर, 2011

का.आ.111.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जय मार्केटिंग, बी-3, प्रथम तल, सहजानन्द मार्केट, पनकोरनाका, अहमदाबाद-1, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "पी एक्स" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "पीएलएनईटी" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/345 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टोप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5,000 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(196)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 111.— Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class-III) of series "PX" and with brand name "PLANET" (hereinafter referred to as the said model), manufactured by M/s. Jay Marketing, B-3, 1st Floor, Shahjanand Market, Pankornaka, Ahmedabad-1, Gujarat and which is assigned the approval mark IND/09/11/345;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

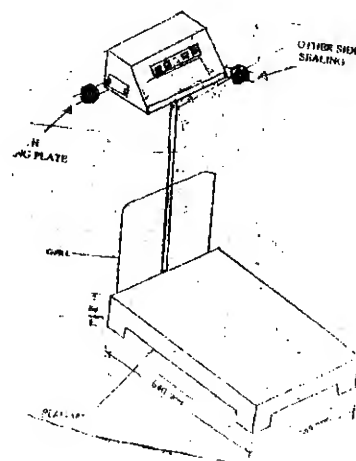
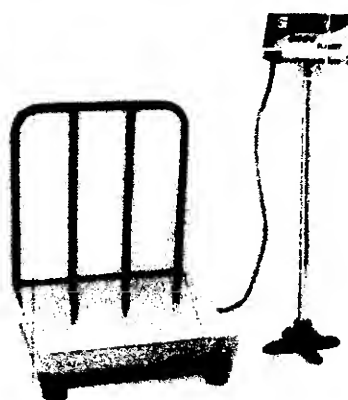


Figure-2: Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. and up to 5,000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(196)/2011]

B. N. DIXIT, Director of Legal Metrology

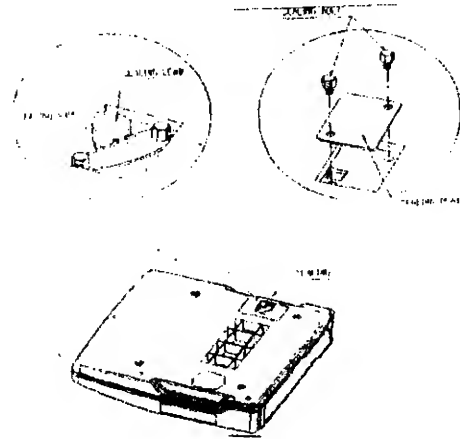
नई दिल्ली, 23 सितम्बर, 2011

का.आ.112.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 की शक्तियों का प्रयोग करते हुए मैसर्स कास वेइंग इंडिया प्रा. लि., 568, उद्योग विहार, फेज-V, गुडगांव, हरियाणा-122016 द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग 1) वाले "एमडब्ल्यू-II" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कास" है (जिसमें इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/323 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 600 ग्रा. और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 10 मि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम।

स्केल की बाटम प्लेट में छेद बना कर, इन छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। स्टाम्पिंग के लिए स्केल की बाड़ी में से लीड सील के साथ सीलिंग वायर निकाल कर स्टाम्पिंग प्लेट जोड़ी जाती है। मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी नियंत्रण है। बाहरी केलिब्रेशन नियंत्रण को निष्क्रिय करने के लिए पीसीबी में डिप स्विच दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 50,000 या उससे अधिक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(192)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 112.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Special Accuracy (Accuracy Class-I) of Series "MW-II" and with brand name "CAS" manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase-V, Gurgaon, Haryana-122016 which is assigned the approval mark IND/09/11/323;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 600 g and minimum capacity of 1 g. The verification scale interval (e) is 10 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) display indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

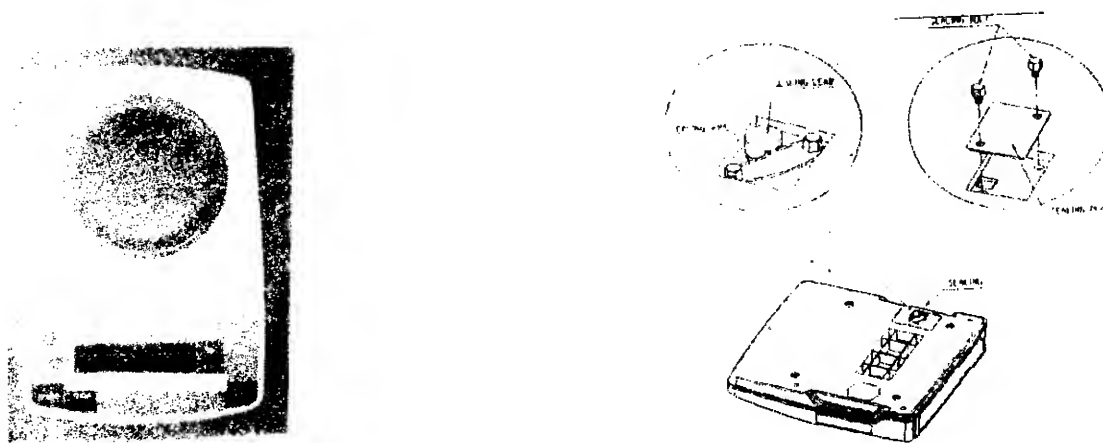


Figure-2—Schematic diagram of sealing provision of the model.

The sealing is done through the holes, made in the bottom plate of the scale, then sealing wire is passed through these holes. Stamping plate is connected through the sealing wire passing from the body of scale with the lead seal to get the stamping. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided inside the PCB to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 5 kg with verification scale interval (n) for 50,000 or above for 'e' value of 1 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(192)/2011]

B. N. DIXIT, Director of Legal Metrology

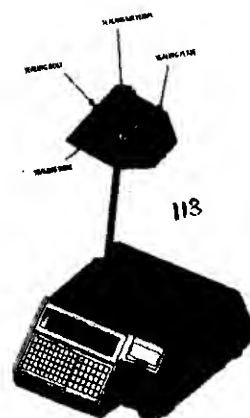
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 113.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स कास वेइंग इंडिया प्रा. लि., 568, उद्योग विहार, फेज-V, गुडगांव, हरियाणा-122016 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "सीएल-3000" श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कास" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/324 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम।

स्केल की बाटम प्लेट में छेद बना कर, इन छेदों में से सीलिंग वायर निकाल कर सीलिंग की जाती है। स्टाम्पिंग के लिए स्केल की बाडी में से लीड सील के साथ सीलिंग बायर निकाल कर स्टाम्पिंग प्लेट जोड़ी जाती है। मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम ऊपर दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी नियंत्रणा है। बाहरी केलिब्रेशन नियंत्रण को निष्क्रिय करने के लिए डिप स्विच दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि. ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(192)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 113.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "CL-3000" and with brand name "CAS" (hereinafter referred to as the said model), manufactured by M/s. CAS Weighing India Pvt. Ltd., 568, Udyog Vihar, Phase-V, Gurgaon, Haryana-122016 and which is assigned the approval mark IND/09/11/324;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval (e) is 5 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) display indicates the weighing results. The instrument operates on 230 Volts, 50Hertz alternative current power supply.

Figure-1

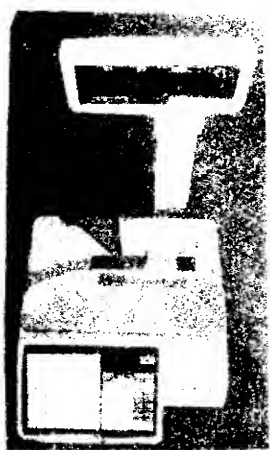


Figure-2—Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by the base plate and top cover of display, then seal wire is passed through these holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity upto 50 kg with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg. to 2 g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(192)/2011]

B. N. DIXIT, Director of Legal Metrology

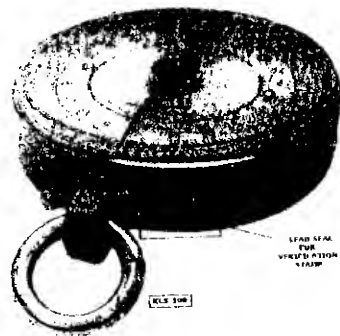
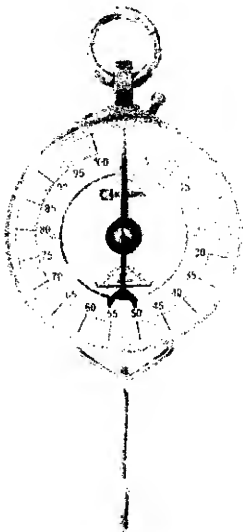
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 114.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स डॉक्टर बेली राम एंड सन्स (एमएफजी), 42, डीएलएफ, कोर्ति नगर इंडस्ट्रियल एरिया, नई दिल्ली-110015 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "केसीएस" शृंखला के अस्वचालित तोलन उपकरण (मेकेनिकल स्प्रिंग बेलेंस हैंगिंग एवं डायल टाइप) के मॉडल का, जिसके ब्रांड का नाम "केआरयूपीएस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/321 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल स्प्रिंग सिद्धांत पर आधारित मेकेनिकल अस्वचालित तोलन उपकरण (मेकेनिकल स्प्रिंग बेलेंस हैंगिंग एंड डायल टाइप) है। इसकी अधिकतम क्षमता 100 कि. ग्रा. है और न्यूनतम क्षमता 5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 500 ग्रा. है। अंशांकन स्केल पर दिया गया प्वांटर मापमान को सूचित करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

उपकरण की बाड़ी पर दिए गए छेदों में से लीड और सील वायर लगाकर सील किया जा सकता है। कपटपूर्ण व्यवहार के लिए मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 100 से 1,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 300 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(179)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 114.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Mechanical spring balance hanging and dial type) of ordinary accuracy (accuracy class-III) of series "KCS" and with brand name "KRUPS" (hereinafter referred to as the said model), manufactured by M/s. Doctor Beli Ram & Sons (Mfg), 42, DLF, Kirti Nagar Industrial Area, New Delhi-110015 and which is assigned the approval mark IND/09/11/321;

The said model is the principal of spring based non-automatic weighing instrument (Mechanical spring balance hanging and dial type) with a maximum capacity of 100 kg. and minimum capacity of 5 kg. The verification scale interval (e) is 500g. A pointer on the dial indicates the results of the measurement.

Figure-1



Figure-2 Schematic diagram of the sealing provision of the model

Sealing can be done by applying lead and seal wire through the holes provided on the body of the instruments. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 300 kg with verification scale interval (n) in the range of 100 to 1,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(179)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 115.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए, मैसर्स डॉक्टर बेली राम एंड सन्स (एचएफजी), 42, डीएलएफ, कीर्ति नगर इंडस्ट्रियल एरिया, नई दिल्ली-110015 द्वारा विनिर्मित साधारण यथार्थता (यथार्थता वर्ग-III) वाले "केएचएस" शृंखला के अस्वचालित तोलन उपकरण (मेकेनिकल व्यक्ति तोलन मशीन) के मॉडल का, जिसके ब्रांड का नाम "केआरयूपीएस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/322 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल सिंग्रिंग सिद्धांत पर आधारित अस्वचालित तोलन उपकरण (मेकेनिकल व्यक्ति तोलन मशीन पूरक उच्चता (हाइट) मापक स्टैंड सहित) है। इसकी अधिकतम क्षमता 125 कि. ग्रा. है और न्यूनतम क्षमता 5 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 500 ग्रा. है। अंशांकन स्केल पर दिया गया प्वांटर मापमान को सूचित करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

उपकरण की बाड़ी पर दिए गए छेदों में से लीड और सील वायर लगाकर सील किया जा सकता है। कपटपूर्ण व्यवहार के लिए मशीन को खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 100 से 1,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 150 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(179)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 115.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Mechanical person weighing machine) of ordinary accuracy (accuracy class-III) of series "KHS" and with brand name "KRUPS" (hereinafter referred to as the said model), manufactured by M/s. Doctor Beli Ram & Sons (Mfg), 42, DLF, Kirti Nagar Industrial Area, New Delhi-110015 and which is assigned the approval mark IND/09/11/322;

The said model is the principal of spring based non-automatic weighing instrument (Mechanical person weighing machine with supplementary height measurement stand) with a maximum capacity of 125 kg and minimum capacity of 5 kg. The verification scale interval (e) is 500 g. A pointer on the dial indicates the results of the measurement.

Figure-1 Model



Figure-2 Schematic diagram of the sealing provision of the model.

Sealing can be done by applying lead and seal wire through the holes provided on the body of the instruments. Sealing shall be done to prevent opening of the weighing machine for fraudulent practice. A typical schematic diagram of sealing provision of the model is given above.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 150 kg with verification scale interval (n) in the range of 100 to 1,000 for 'e' value of 5 g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(179)/2011]

B. N. DIXIT, Director of Legal Metrology

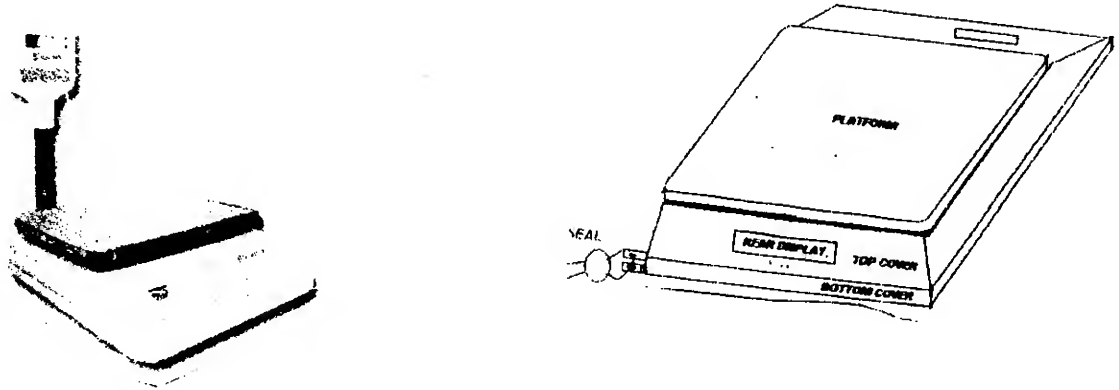
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 116.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स कृष्णा स्केल इंडिया, 194, साथी रोड, इरोड-638003 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले “जे एस” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “भोमिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/278 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित, आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(164)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 116.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (accuracy class-II) of series "JS" and with brand name "BHOMIX" (hereinafter referred to as the said model), manufactured by M/s. Krishna Scale India, 194, Sathy Road, Erode-638003 and which is assigned the approval mark IND/09/11/278

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1

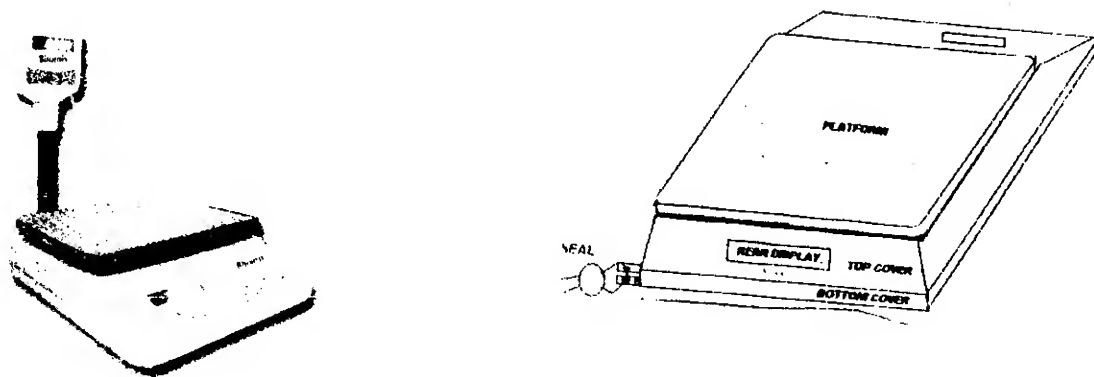


Figure-2 Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(164)/2011]

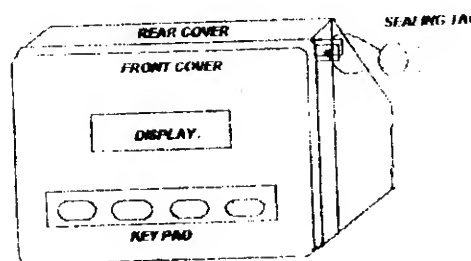
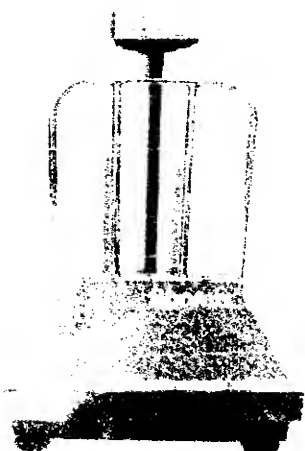
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 117.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स कृष्णा स्केल इंडिया, 194 साथी रोड, इरोड-638003 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “एमडब्ल्यू” श्रृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्राण्ड का नाम “भोमिक्स” है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/279 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) कि.ग्रा. को लीटर में बदलने की सुविधा सहित-मिक व्होयर) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 200 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो भनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(164)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 117.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sections 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (Accuracy class -III) of Series "MW" and with brand name "BHOMIX" (hereinafter referred to as the said model), manufactured by M/s. Krishna Scale India, 194, Sathy Road, Erode-638003 and which is assigned the approval mark IND/09/11/279;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type-with kg. to litre conversion facility-Milk Weigher) with a maximum capacity of 1000Kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

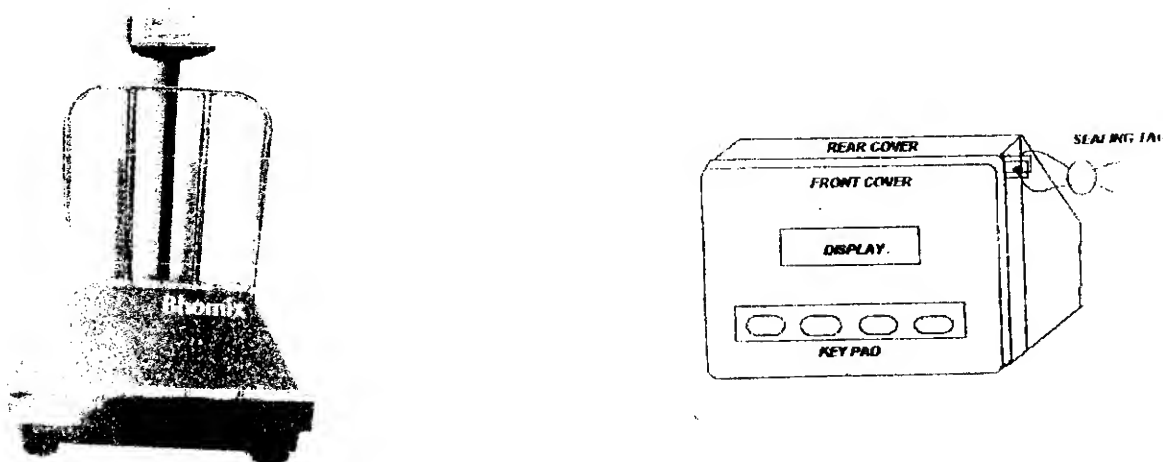


Figure-2 Schematic Diagram of sealing provision of the Model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display. than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(164)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 118.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों को प्रयोग करते हुए मैसर्स वेल्ट्रोनिक्स सिस्टम, 259/बी, नाहर एंड शेट इंडस्ट्रियल एस्टेट, एल बी एस मार्ग, भांडुप (डब्ल्यू), मुंबई-400078 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “डब्ल्यू डब्ल्यू बी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्राण्ड का नाम “वेल्ट्रोनिक्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/318 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^{\#}$, $2 \times 10^{\#}$ या $5 \times 10^{\#}$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(153)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 118.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of Medium Accuracy (Accuracy class -III) of Series "WWB" and with brand name "WELLTRONICS" (hereinafter referred to as the said model), manufactured by M/s. Weltronics Systems, 259/B, Nahar and Sheth Industrial Estate, L.B.S. Marg, Bhandup (W), Mumbai-400078 and which is assigned the approval mark IND/09/11/318;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1



Figure-2 — Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-section (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with above 50 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or above and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

I.F. No. WM-21(153) 2011,

B. N. DIXIT, Director of Legal Metrology

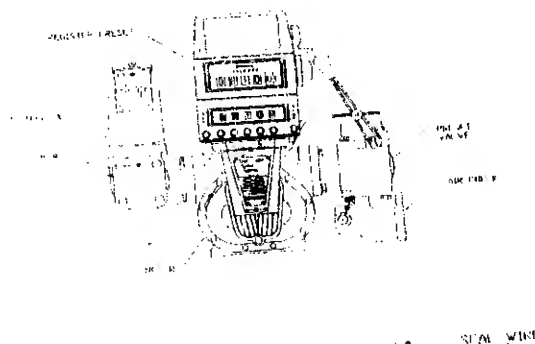
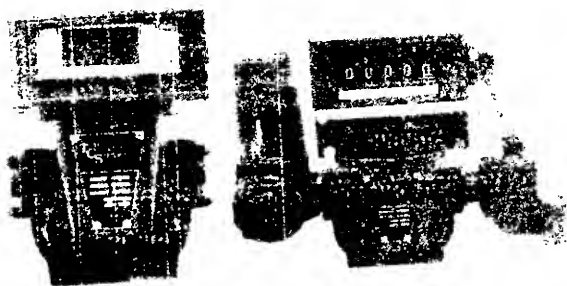
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 119.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा राष्ट्रीय वाट और माप प्रयोगशाला, यूनाइटेड किंगडम द्वारा जारी मॉडल अनुमोदन प्रमाण-पत्र सहित उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई प्रकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुसृत है और इस बात को संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयोग के लिए प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पाठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 के दूसरे परंतुक द्वारा शक्तिशाली को प्रयोग करते हुए मैसर्स टॉटल कंट्रोल सिस्टम, मुम्बई इन्क्विपमेंट, आई.एन.सी., 2515ए, चार्लेस्टन प्लेस, फोर्ट वेने, इंडिया द्वारा एनए 46808 द्वारा विनिर्मित दशार्धता वर्ग 0.3% वाले "700" शृंखला के पानी के अलावा अन्य द्रव्यों के लिए मापन पद्धति संकेत सूचन सहित, जिसके ब्रांड का नाम 'टोसीएस' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एन वेस्टार्क प्रा. लि., पंजीकृत कार्यालय: 16, आन्विष्कार, महेंद्र रोड, विले पार्ले (ईस्ट), मुंबई-400057 द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में आयात किया गया और जिसे अनुमोदन विह्व आई एन डी/13/11/178 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी और प्रकाशित करती है।

उक्त मॉडल पर्यावरणीय दबाव पर भंडारित की विस्कोसिटी ($<20 \text{ mPa.s}$) के पानी के अलावा अन्य कार्यों हेतु एक सेटरी मीटर है। यह उपकरण -10°C से $+50^\circ\text{C}$ तक दर की तपमान रेंज में कार्य करता है। तकनीकी ब्यौरे निम्नानुसार है :-

Model Designation	Size		Flow rate range		Minimum measured quantity
			Qmin L/min	Qmax L/min	L
TCS 700-15	1½"	38mm	32	226	10
TCS 700-20	2"	50mm	50	380	50
TCS 700-25	2"	50mm	50	550	50
TCS 700-30	3"	75mm	100	760	100
TCS 700-35	3"	50mm	100	1155	100
TCS 700-40	4"	100mm	151	1893	200
TCS 700-45	4"	100mm	151	2271	200



आकृति-2—सीलिंग प्रावधान।

मॉडल को योजनाबद्ध सीलिंग करने का दायग्राम ऊपर दिया गया है। मैकेनिकल डिस्प्ले के लिए, लॉक कॉलर और पेचों के उपयोग से समायोजक बैरल को बंद किया जाता है। इलेक्ट्रॉनिक डिस्प्ले के लिए, बाहरी अंशांकन तक पहुंच को रोकने के लिए उपकरण के मदर बोर्ड में हिटच स्विच लगाया गया है।

आपडेशन के उद्देश्य से प्लग मीटर को कंप्यूटर, पी एल सी, माइक्रोप्रोसेसर, प्रिंटर आदि के साथ जोड़ा जाता है।

[फा. सं. डब्ल्यू एम-21(38)/2011]
बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 119.—Whereas the Central Government, after considering the report submitted to it along with the model approval certificate issued by the National Weights and Measures Laboratory, United Kingdom, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the second proviso to Section 22 of the Legal Metrology Act, 2009 (1 of 2010) and sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby approves, issues and publishes the certificate of approval of model of Measuring Systems For Liquids Other Than Water with digital indication of accuracy class 0.3% (hereinafter referred to as said model) of series - '700' with brand name "TCS", manufactured by M/s. Total Control Systems, A Division of Murray Equipment, Inc., 2515, Charleston Place, Fort Wayne, Indiana, USA 46808 and imported in India without any alteration before or after sale by M/s. An Petrotech Pvt. Ltd., Reg. Off.: 16, Aavishkar Mahant Road, Vile Parle (East), Mumbai-400 057 and which is assigned the approval mark IND/13/11/178;

The said model is a Rotary Meter for the measurement of liquids other than water of low viscosity ($<20\text{mPa.s}$) stored at atmospheric pressure. The instrument operates in the temperature range of -10°C to $+50^{\circ}\text{C}$. The technical details are as follow :

Model Designation	Size		Flowrate range		Minimum measured quantity
			Qmin L/min	Qmax L/min	L
TCS 700-15	1½"	38mm	32	226	10
TCS 700-20	2"	50mm	50	380	50
TCS 700-25	2"	50mm	50	550	50
TCS 700-30	3"	75mm	100	760	100
TCS 700-35	3"	50mm	100	1155	100
TCS 700-40	4"	100mm	151	1893	200
TCS 700-45	4"	100mm	151	2271	200

The flow meter pulse output may be connected to either mechanical or electronic register device that has 9 digits for volume display and 10 digit non-reset totalizer.

Figure-I Model



Fig.-2— Sealing arrangement.

A schematic diagram of sealing provision of the model is given above. For mechanical display, adjuster barrel is locked using locking collar and tightening screw. For electronic display, the instrument has dip switch in mother board to disable access to external calibration.

The flow meter can be interfaced with Computers, PLC, Microprocessor, Printer etc. for automation purposes.

[F.No.WM-21(38)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 120.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा राष्ट्रीय बाट और माप प्रयोगशाला, यूनाइटेड किंगडम द्वारा जारी मॉडल अनुमोदन प्रमाण-पत्र सहित उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

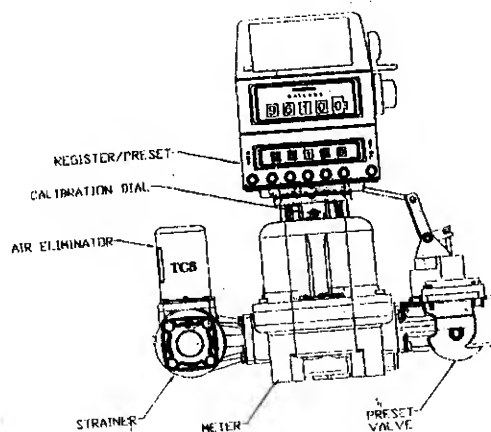
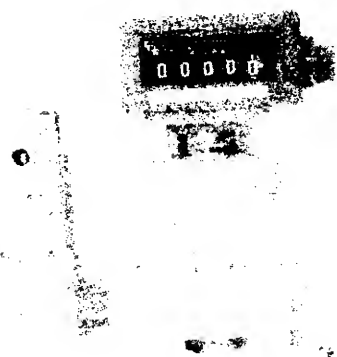
अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 के दूसरे परंतुक द्वारा शक्तियों को प्रयोग करते हुए मैसर्स टोटल कंट्रोल सिस्टम, मुरै इक्विपमेंट, आईएनसी., 2515, चार्लेस्टन प्लेस, फोर्ट वेन, इंडियना यूएसए 46808 द्वारा विनिर्मित यथार्थता वर्ग 0.3% वाले "682" शृंखला के पानी के अलावा अन्य द्रव्यों के लिए मापन पद्धति अंकक सुचन सहित, जिसके ब्रांड का नाम 'टीसीएस' है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स एन पेट्रोटेक प्रा. लि., पंजीकृत कार्यालय: 16, आविष्कार, महंत रोड, विले पार्ले (ईस्ट), मुंबई-400057 द्वारा बिक्री से पहले या बाद में बिना किसी परिवर्तन के भारत में आयात किया गया और जिसे अनुमोदन चिह्न आई एन डी/13/11/179 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र जारी और प्रकाशित करती है।

उक्त मॉडल पर्यावरणीय दबाव पर भंडारित लो विस्कोसिटी ($<20 \text{ mPa}\cdot\text{s}$) के पानी के अलावा अन्य कार्यों हेतु एक रोटरी मीटर है। यह उपकरण -10°C से $+50^\circ\text{C}$ तक दर की तापमान रेंज में कार्य करता है। तकनीकी ब्यौरे निम्नानुसार है ;

Model Designation	Size		Flowrate range		Minimum measured quantity
			Qmin L/min	Qmax L/min	
TCS 682-15	1½"	38 mm	10	187	10

फ्लो मीटर पल्स आउटपुट को मैकेनिकल अथवा इलेक्ट्रॉनिक रजिस्टर उपकरण के साथ जोड़ा जाए जिसमें वोल्यूम डिस्प्ले के लिए 9 डिजिट्स और 10 डिजिट्स नॉन-रिसेट टोटलाइजर है।

आकृति -1



आकृति -2 सीलिंग प्रावधान

मॉडल को योजनाबद्ध सीलिंग करने का डायग्राम ऊपर दिया गया है। मैकेनिकल डिस्प्ले के लिए, लॉक कॉलर और पेचों के उपयोग से समायोजक बैरल को बंद किया जाता है। इलेक्ट्रॉनिक डिस्प्ले के लिए, बाहरी अंशांकन तक पहुंच को रोकने के लिए उपकरण के मदर बोर्ड में डिप स्विच लगाया गया है।

आटोमेशन के उद्देश्य से फ्लो मीटर को कम्प्यूटर, पी एल सी, माइक्रोप्रोसेसर, प्रिंटर आदि के साथ जोड़ा जाता है।

[फा. सं. डब्ल्यू एम-21(38)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 120.—Whereas the Central Government, after considering the report submitted along with the model approval certificate issued by the National Weights and Measures Laboratory, United Kingdom, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by the second proviso to Section 22 of the Legal Metrology Act, 2009 (1 of 2010) and sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby approves, issues and publishes the certificate of approval of model of Measuring Systems For Liquids Other Than Water with digital indication of accuracy class 0.3% (hereinafter referred to as said model) of series - '682' with brand name 'TCS' manufactured by M/s. Total Control Systems, A Division of Murray Equipment, Inc., 2515, Charleston Place, Fort Wayne, Indiana, USA 46808 and imported in India without any alteration before or after sale by M/s. An Petrotech Pvt. Ltd., Reg. Off.: 16, Aavishkar Mahant Road, Vile Parle (East), Mumbai-400 057 and which is assigned the approval mark IND/13/11/179;

The said model is a Positive Displacement Meter for the measurement of liquids other than water of low viscosity ($<20\text{mPa.s}$) stored at atmospheric pressure. The instrument operates in the temperature range of -10°C to $+50^{\circ}\text{C}$. The technical details are :

Model Designation	Size		Flowrate range		Minimum measured quantity
			Qmin L/min	Qmax L/min	
TCS 682-15	1½"	38mm	10	187	10

The flow meter pulse output is connected to either mechanical or electronic register device that has 9 digits for volume display and 10 digit non-reset totalizer.

Figure-1 Model

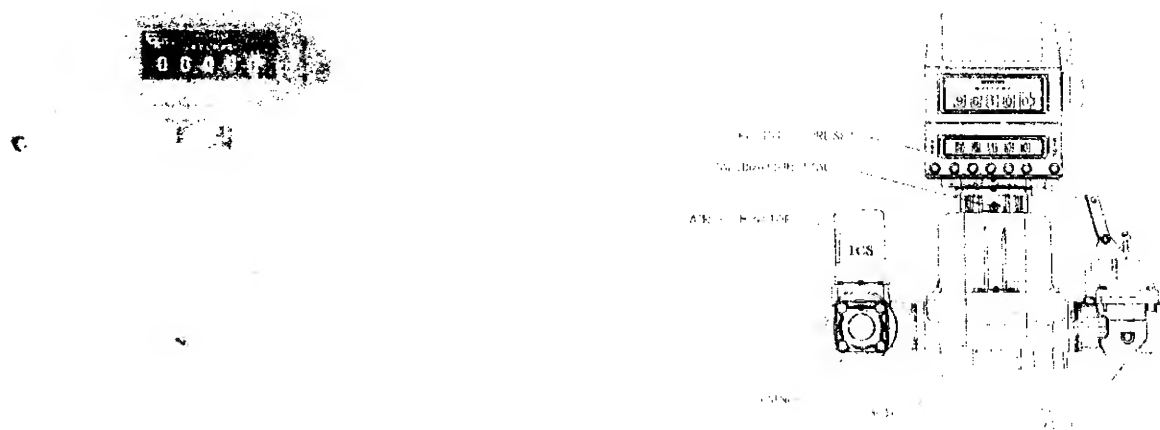


Fig.2- Sealing arrangement.

A typical schematic diagram of sealing provision of the model is given above. For either mechanical or electronic display, the calibration dial is locked with a pin and seal wire. In addition, for electronic display, the instrument has dip switch in mother board to disable access to external calibration.

The flow meter can be interfaced with Computers, PLC, Microprocessor, Printer etc. for automation purposes.

[F.No.WM-21(38)/2011]

B. N. DIXIT, Director of Legal Metrology

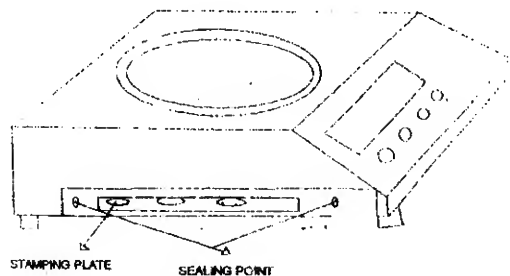
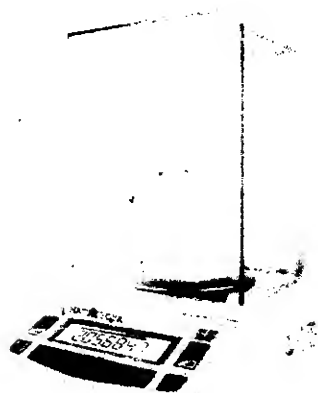
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 121.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों को प्रयोग करते हुए मैसर्स एल एंड टी स्कैल्ज, 10, रामाकृष्णा नगर, बैंगो स्ट्रीट, कवुन्डम्पल्लयम, कोयम्बतूर-641030 द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) वाले “एलजेटीएम” श्रृंखला के अंकक सूचन, सहित, अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम “माटाटोया” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/226 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 3000 ग्रा. और न्यूनतम क्षमता 1 ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी श्रृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या अधिक के “ई” मान के लिए 50,000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(132)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 121.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Special Accuracy (Accuracy class-I) of series "LJTM" and with brand name "MATATTOYA" (hereinafter referred to as the said model) manufactured by M/s L & T Scales, 10, Ramakrishna Nagar, Bango Street, Kavundampalayam, Coimbatore-641 030 and which is assigned the approval mark IND/09/11/226;

The said model is a Electro Magnetic Force Compensation Principle based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 3000g. and minimum capacity of 1g. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current, power supply.

Figure-1

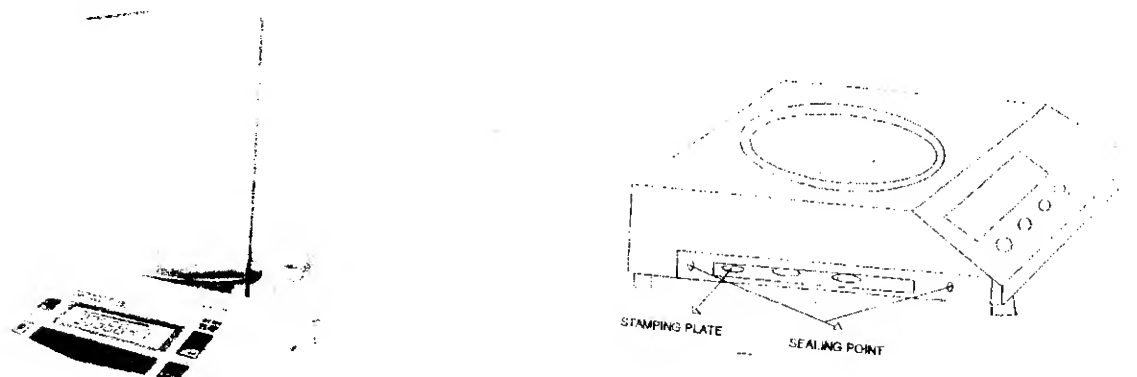


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 50,000 or more for 'e' value of 1mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(132)/2011]

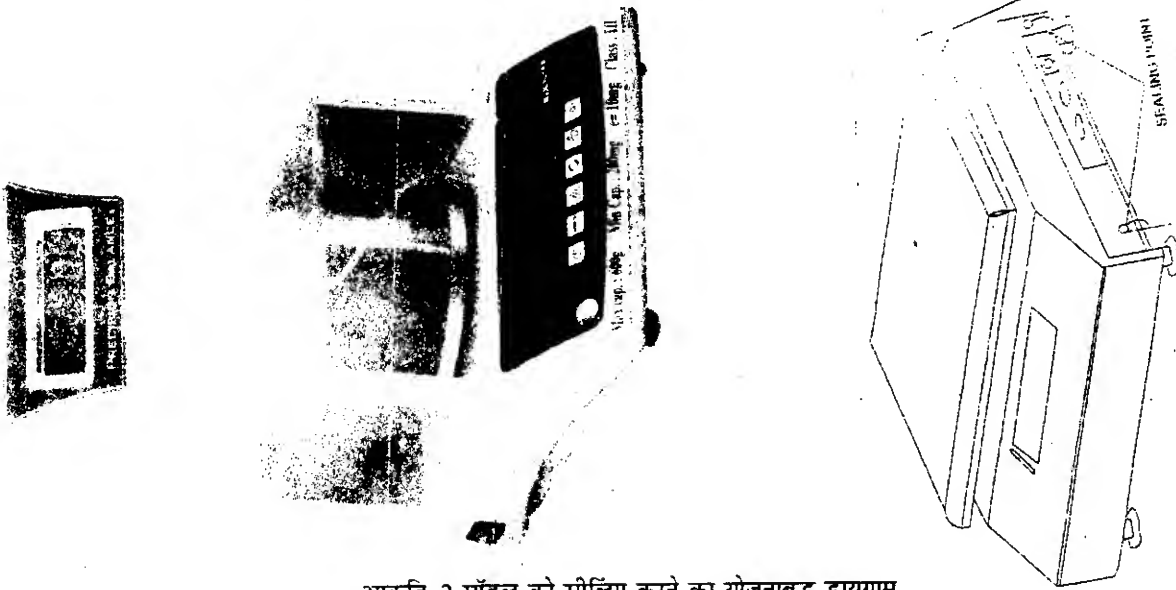
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 122.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स टोयो टेक्नोलोजी, 6.10/63 जे. टुरैसामी नगर, पल्लापट्टी, सालेम-636009 तमिलनाडु द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग II) वाले "नैनो" शृंखला के अंकक सूचन, सहित, अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "जेएजेडजेड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/308 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 320 ग्रा. और न्यूनतम क्षमता 200 मि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(124)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 122.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High Accuracy (Accuracy class-II) of series "NANO" and with brand name "JAZZ" (hereinafter referred to as the said model) manufactured by M/s. Toyo Technologies, 6.10/63J, Duraisamy Nagar, Pallapatti, Salem-636009, Tamil Nadu and which is assigned the approval mark IND/09/11/308;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 320g. and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current, power supply.

Figure-1

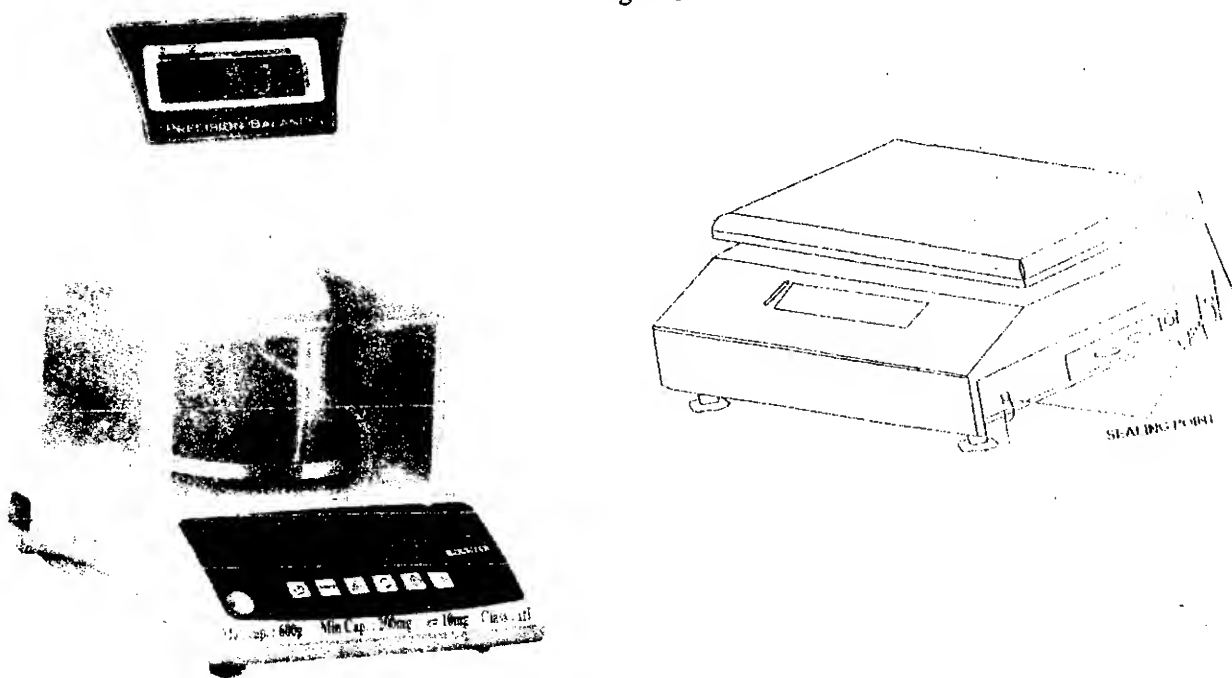


Figure-2 Schematic Diagram of sealing provision of the Model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 100,000 or more for 'e' value of 1 mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(124)/2011]

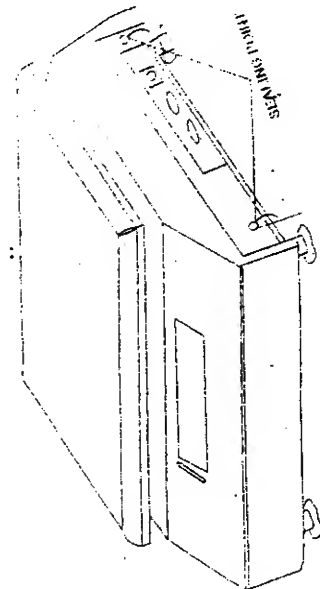
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 123.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स टोयो टेक्नोलॉजी, 6.10/63 जे. दुरैसामी नगर, पल्लापट्टी, सालेमे-636009 तमिलनाडु द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "टोयो" शृंखला के अंकक सूचन, सहित, अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "जेएजेडजेड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/309 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और ग्रैप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-3} , 2×10^{-3} या 5×10^{-3} , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(124)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 123.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of Medium Accuracy (Accuracy class-III) of series "TOYO" and with brand name "JAZZ" (hereinafter referred to as the said model) manufactured by M/s. Toyo Technologies, 6.10/63 J, Duraisamy Nagar, Pallapatti, Salem-636009, Tamil Nadu and which is assigned the approval mark IND/09/11/309;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30g. and minimum capacity of 100 g. The verification scale interval (e) is 5 g. It has a tare device with a 100 percent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current, power supply.

Figure-1

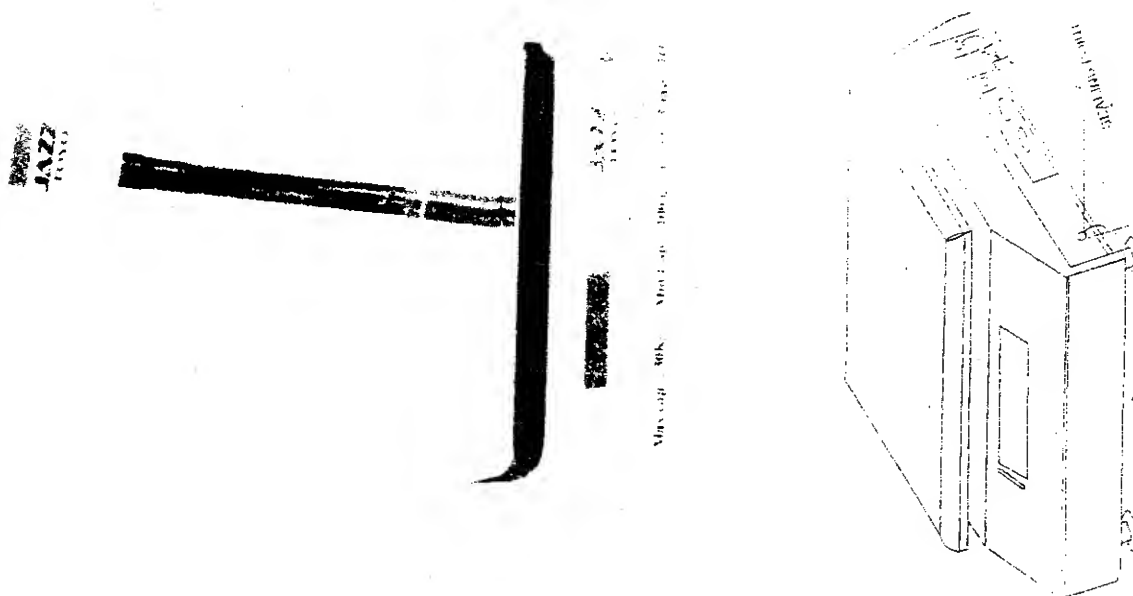


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg. with verification scale interval (n) in the range of 100 to 10,000 or value for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(124)/2011]

B. N. DIXIT, Director of Legal Metrology

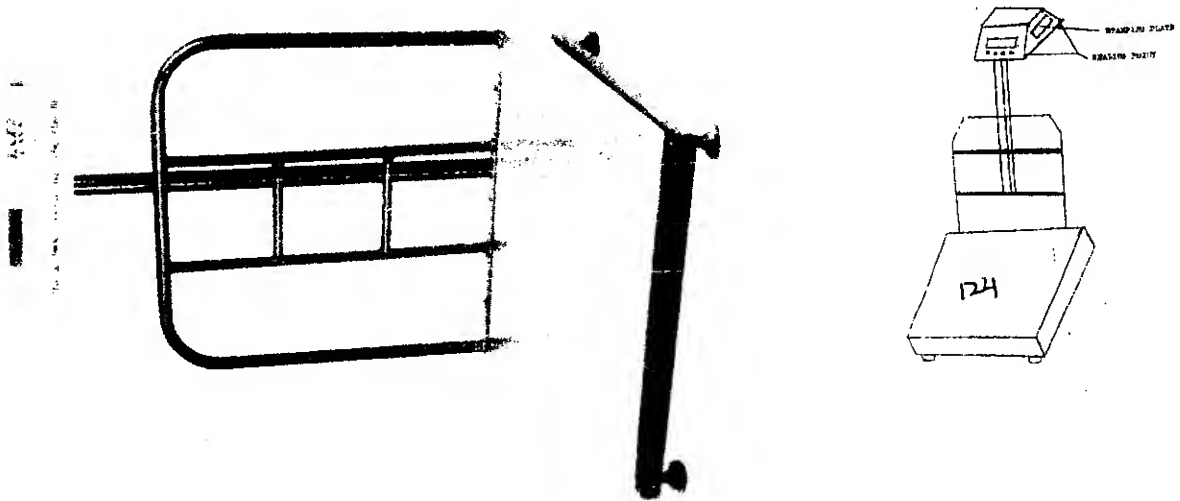
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 124.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009(2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009(2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स टोयो टेक्नोलोजी, 6.10/63 जे. दुरैसामी नगर, एल्लापट्टी, सालेम-636009 तमिलनाडू द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एलएवीए" शृंखला के अंकक सूचन, सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "जेएजेडजेड" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/310 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(124)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 124.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Platform type) with digital indication of medium Accuracy (Accuracy class-III) of series "LAVA" and with brand name "JAZZ" (hereinafter referred to as the said Model) manufactured by M/s. Toyo Technologies, 6.10/63 J, Duraisamy Nagar, Pallapatti, Salem-636009, Tamil Nadu and which is assigned the approval mark IND/09/11/310;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 4 kg. The verification scale interval (e) is 200 g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current, power supply.

Figure-1

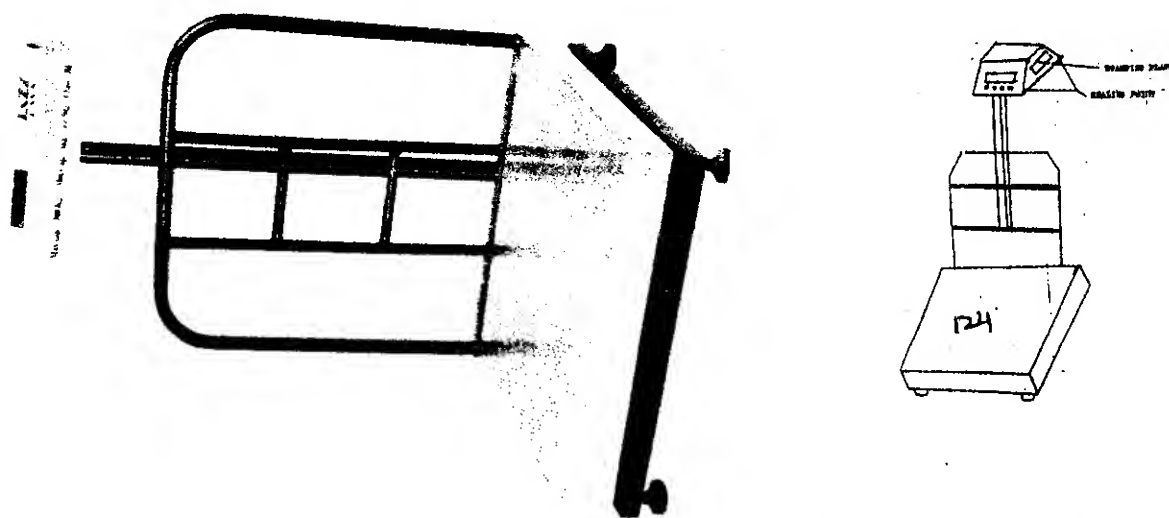


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg. and up to 5000kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(124)/2011]

B. N. DIXIT, Director of Legal Metrology

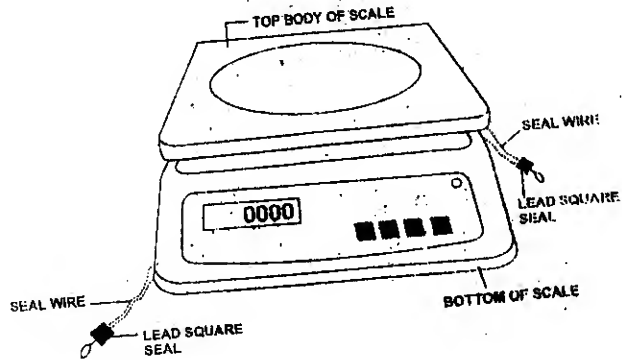
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 125.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009(2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009(2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों को प्रयोग करते हुए मैसर्स श्री आदिनाथ स्केल इंडस्ट्रीज, 46 मारवाडी रोड, भोपाल-462001 मध्य प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एसएसटी" शृंखला के अंकक सूचन, सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्रांड का नाम "ए.एस.आई. डीआईजीआई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/270 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(118)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 125.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the Model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class-III) of series "SAST" and with brand name "A.S.I. DIGI" (hereinafter referred to as the said Model) manufactured by M/s. Adinath Scale Industries, 46, Marawari Road, Bhopal-462001, Madhya Pradesh and which is assigned the approval mark IND/09/11/270;

The said Model is a strain gauge type load cell based non-automatic weighing instrument (Table Top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current, power supply.

Figure-1



Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate & top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the Model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 or more for 'e' value of 2g. and with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(118)/2011]

B. N. DIXIT, Director of Legal Metrology

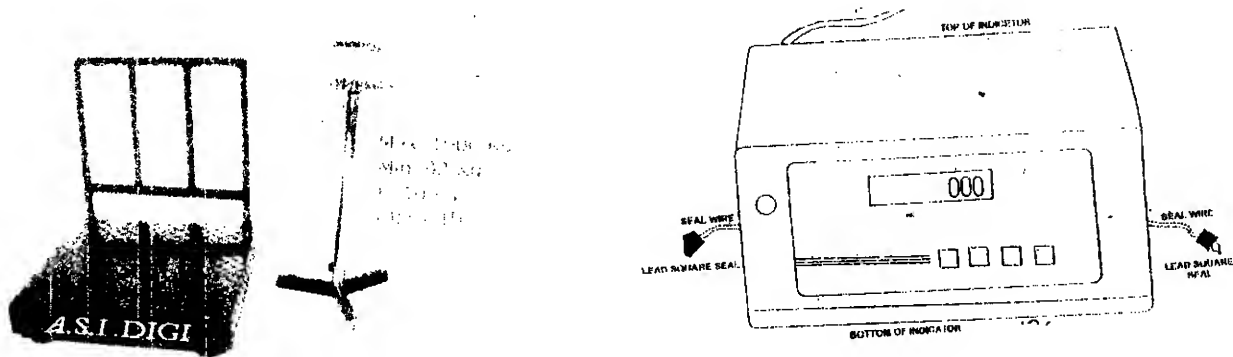
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 126.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों को प्रयोग करते हुए मैसर्स श्री आदिनाथ स्केल इंडस्ट्रीज, 46 मारवाडी रोड, भोपाल-462001, मध्य प्रदेश द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग III) वाले "एसएस-पीएफ" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम "ए.एस.आई.डीआईजीआई" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/271 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 2 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(118)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 126.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class-III) of series "SAS-PF" and with brand name "A.S.I.DIGI" (hereinafter referred to as the said model) manufactured by M/s. Adinath Scale Industries, 46, Marawari Road, Bhopal-462001, Madhya Pradesh and which is assigned the approval mark IND/09/11/271;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform type) with a maximum capacity of 1000 kg. and minimum capacity of 2 kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current, power supply.

Figure-1

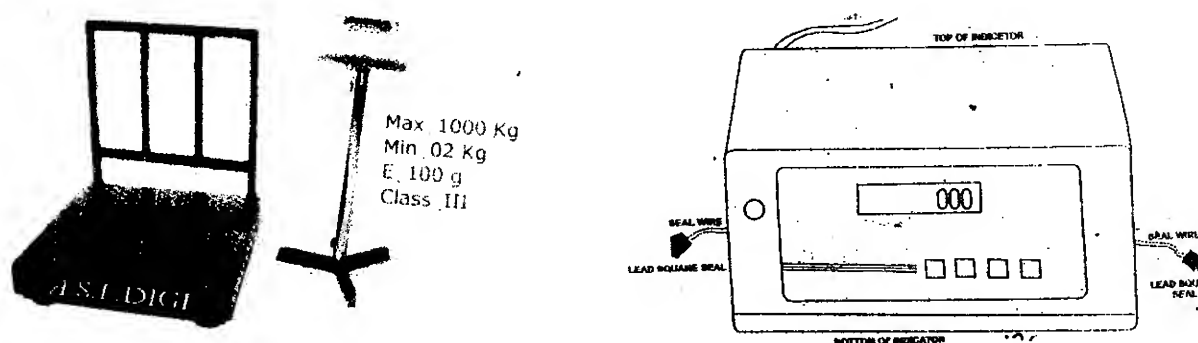


Figure-2 Schematic Diagram of sealing provision of the Model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg. and up to 5000kg with verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(118)/2011]

B. N. DIXIT, Director of Legal Metrology

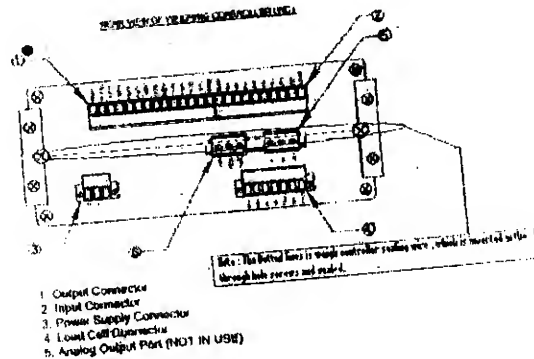
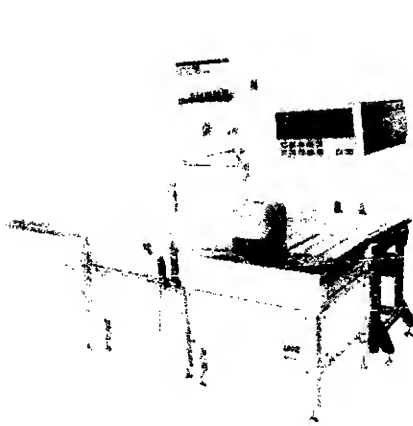
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 127.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों को प्रयोग करते हुए, मैसर्स एल सी एस कंट्रोल्स प्राइवेट लिमिटेड, प्लॉट नं. 34 एंड 35, पहली लिंक स्ट्रीट, नेहरू नगर, चेन्नई-600041 द्वारा विनिर्मित मध्यम यथार्थता वर्ग XIII, वाले "एडब्ल्यू-सीडब्ल्यूएस" शृंखला के अस्वचालित कैच वेइंग उपकरण (चैक व्हीयर) के मॉडल का, जिसके ब्रांड का नाम "एलसीएस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/218 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित कैच वेइंग उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 250 ग्रा. है के साथ सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। ग्राफिक लिक्विड क्रिस्टल डिस्प्ले (एल सी डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

स्पेशल स्कू पर दिए गए होल और बाडी में से सीलिंग वायर निकाल कर इस वायर के अंत में लीड सील लगाई गई है जैसा कि ऊपर स्कैच में दिया गया है।

उपकरण में केलिब्रेशन के लिए बाहरी पहुंच है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं, और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(109)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 127.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Catch Weighing Instrument (Check Weigher) belonging to accuracy class XIII of 'AW-CWS' series with brand name "LCS" (hereinafter referred to as the said model) manufactured by M/s. LCS Controls Private Limited, Plot No. 34 and 35, 1st Link Street, Nehru Nagar, Chennai-600041 and which is assigned the approval mark IND/09/11/218;

The said model is a shear beam type load cell based Automatic Catch Weighing Instrument. It has maximum capacity of 30 kg. and minimum capacity of 250g with verification scale interval 'e' 5g. Graphic Liquid Crystal Display (LCD) indicates the weighing results. The instrument operates on 230 Volts, 50 Hertz alternative current, power supply.

Figure-1 Model

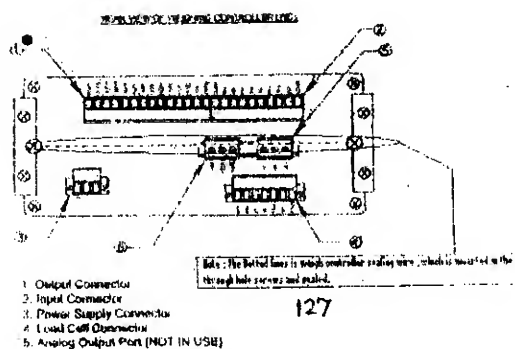
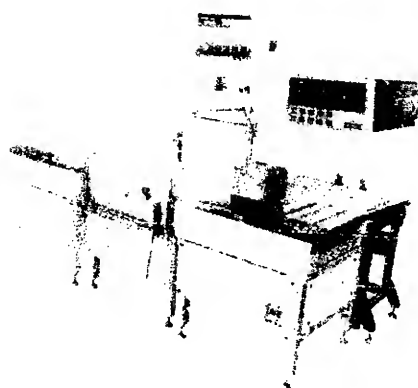


Figure-2 —Schematic diagram of the sealing provision of the Model.

A sealing wire is passed through the body and hole provided at the special screw and a lead seal is applied at the end of this wire sketch as given below.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instrument of similar make, and performance of same series with capacity up to 50 kg and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100 mg to 2 g and with number of verification scale interval (n) in the range of 500 to 10000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model has been manufactured.

[F.No.WM-21(109)/2011]

B. N. DIXIT, Director of Legal Metrology

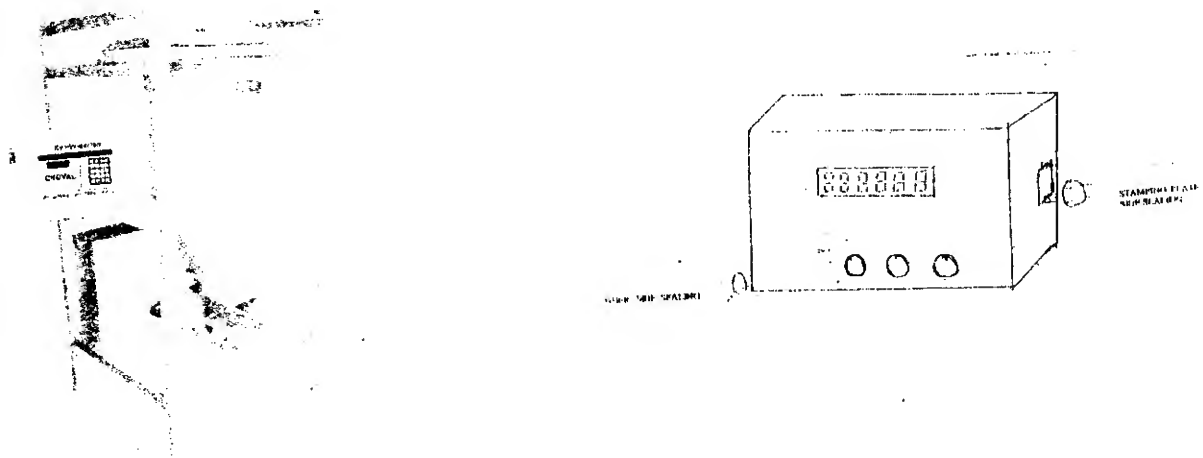
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 128.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 की शक्तियों का प्रयोग करते हुए मैसर्स विश्वकर्मा (ई एस) इंडस्ट्रीज प्रा. लि., विश्वकर्मा नगर, पी ओ सरदाना, अजमेर-305206 राजस्थान द्वारा विनिर्मित यथार्थता वर्ग X(1), वाले "एसवीएचडब्ल्यू" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "सीएचओवाईएल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/316 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 200 कि.ग्रा. और कम स्केल अंतराल (डी) वेल्यू 20 ग्रा. जो उत्पाद की मात्रा और प्रकार पर आधारित फिलरेट 10 फिल्ल्स प्रति मिनट की बारम्बारता सहित है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति-2—मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम।

साफ्टवेयर केलिब्रेशन को सुरक्षित रखने के लिए उपकरण को सीलबंद करने के लिए एक पासवर्ड प्रदान किया गया है। मशीन के अगले पैनल पर सत्यापन मुहर फिक्स की जाएगी और उसे सिगल तार से सीलबंद किया जाएगा। स्टाम्पिंग प्लेट को सील करने के अलावा मशीन को कपटपूर्ण व्यवहार के लिए खोलने से रोकने के लिए सीलबंद किया जाएगा।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी फिलिंग रेंज 5000 कि.ग्रा. के साथ 10 फिल्ल्स प्रति मिनट है।

[फा. सं. डब्ल्यू एम-21(32)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the, 23rd September, 2011

S.O. 128.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the Model of automatic gravimetric filling instrument belonging to accuracy class X(1), Series "SVHW" and with brand name "CHOYAL" (hereinafter referred to as the said Model) manufactured by M/s. Shri Vishvakarma (E.S.) Industries Pvt. Ltd., Vishvakarma Nagar, P.O., Sardana, Ajmer-305206, Rajasthan and which is assigned the approval mark IND/09/11/316;

The said Model is a strain gauge type load cell based automatic gravimetric filling instrument. It has Maximum capacity of 200 kg. and least scale interval (d) value of 20 g. with a frequency of 10 fills per minute depending upon the quantity and nature of the product. The instrument operates on 230 Volts power supply.

Figure-1

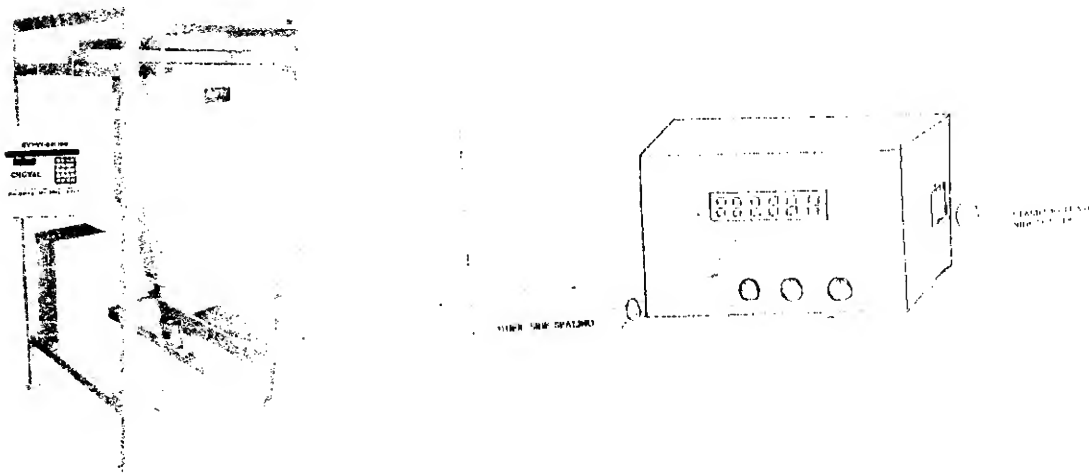


Figure-2 — Schematic Diagram of the sealing provision of the Model.

To seal the instrument a password is provided to protect the software calibration. Verification stamp will be fixed on the front panel of the machine and sealed by single wire. In addition to sealing the stamping plate, sealing shall be done to prevent the opening or machine for fraudulent practices.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with filling range up to 5000 kg. with frequency of weighing 10 fills per minute manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No.WM-21(82)/2011]

B. N. DIXIT, Director of Legal Metrology

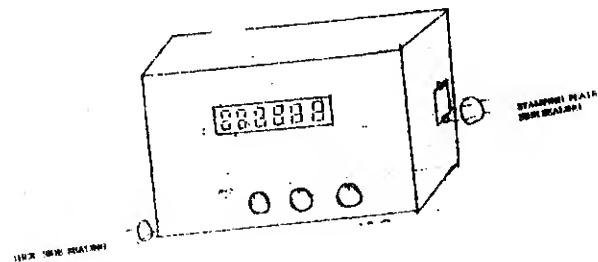
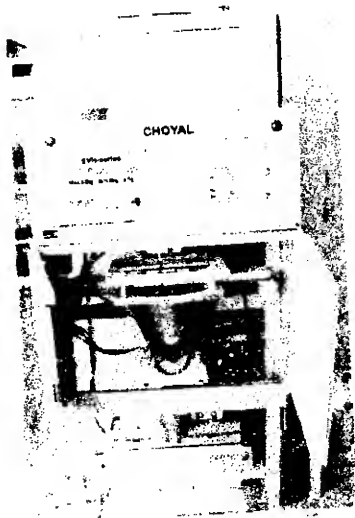
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 129.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 की शक्तियों का प्रयोग करते हुए मैसर्स विश्वकर्मा (ई एस) इंडस्ट्रीज प्रा. लि., विश्वकर्मा नगर, पी ओ सरदाना, अजमेर-305206 राजस्थान द्वारा विनिर्मित यथार्थता वर्ग X(1), वाले "एसवीएच" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्रांड का नाम "सीएचओवाईएल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/317 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और कम स्केल अंतराल (डी) वेल्यू 5 ग्रा. जो उत्पाद की मात्रा और प्रकार पर आधारित फिलरेट 10 फिल्स प्रति मिनट की बारम्बारता सहित है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

साफ्टवेयर केलिब्रेशन को सुरक्षित रखने के लिए उपकरण को सीलबंद करने के लिए एक पासवर्ड प्रदान किया गया है। मशीन के अगले पैनल पर सत्यापन मुहर फिक्स की जाएगी और उसे सिंगल तार से सीलबंद किया जाएगा। स्टाम्पिंग प्लेट को सील करने के अलावा मशीन को कपटपूर्ण व्यवहार के लिए खोलने से रोकने के लिए सीलबंद किया जाएगा।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी फिलिंग रेंज 50 कि.ग्रा. के साथ 10 फिल्स प्रति मिनट है।

[फा. सं. डब्ल्यू एम-21(82)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 129.—Whereas the Central Government, after considering the report submitted to it by prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the Model of automatic gravimetric filling instrument belonging to accuracy class X(1), Series "SVH" and with brand name "CHOYAL" (hereinafter referred to as the said Model) manufactured by M/s. Shri Vishvakarma (E.S.) Industries Pvt. Ltd., Vishvakarma Nagar, P.O., Sardana, Ajmer-305206, Rajasthan and which is assigned the approval mark IND/09/11/317;

The said Model is a strain gauge type load cell based automatic gravimetric filling instrument. It has maximum capacity of 30 kg. and least scale interval (d) value of 5 g. with a frequency of 10 fills per minute depending upon the quantity and nature of the product. The instrument operates on 230 Volts, 50Hertz alternative current, power supply.

Figure-1

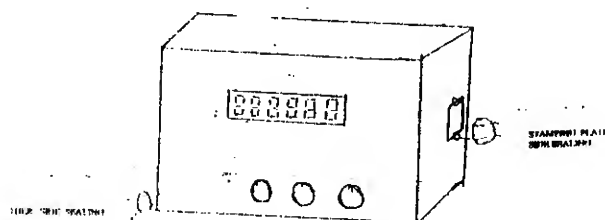
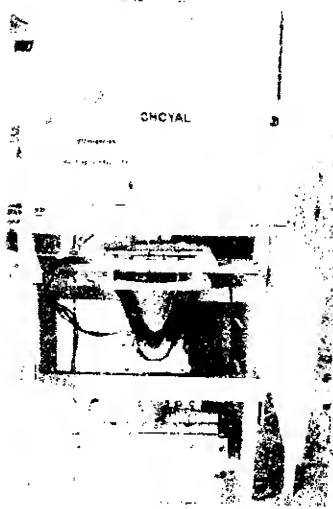


Figure-2 —Sealing Diagram of sealing provision of the Model.

To seal the instrument a password is provided to protect the software calibration. Verification seal will be fixed on the front panel of the machine and sealed by single wire. In addition to sealing the stamping plate, sealing shall be done to prevent the opening of machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with filling range up to 50 kg. with frequency of weighing 10 fills per minute manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(82)/2011]

B. N. DIXIT, Director of Legal Metrology

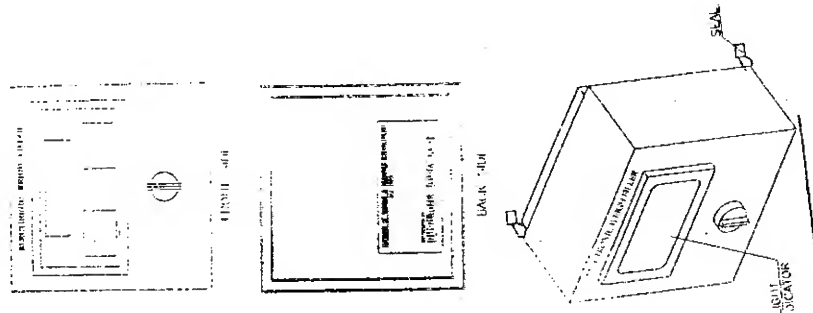
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 130.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स निकरोम इंडिया लिमिटेड, स्फायर पार्क गलेरिया, 4, पुणे-मुंबई रोड, शिवाजी नगर, पुणे-411005 द्वारा विनिर्मित यथार्थता वर्ग, रेफ X(1) वाले "ईडब्ल्यूएफ" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्राण्ड का नाम "निकरोहोम" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/294 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (लिनियर व्हीयर) है। इसकी अधिकतम क्षमता 5000 ग्रा. और सबसे कम स्केल अंतराल 'डी' वेल्यू 1 ग्रा. जो उत्पाद की मात्रा और प्रकार पर आधारित फिलरेट 20 फिल्म प्रति मिनट की बारम्बारता सहित है। मशीन को फ्री फ्लोइंग, नॉन स्टिकी, नॉन डस्टी उत्पाद जैसे चाय, चावल, गेहूं, पशुचारा, दालें आदि भरने के लिए डिजाइन किया गया है। लिक्विड क्रिस्टल डायोड (एलसीडी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज ए सी प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम

स्टाम्पिंग सील के सत्यापन के लिए, इंडीकेटर के लोअर पार्ट और अपर पार्ट में दो छेद करके, इन छेदों में से लीडिड वायर कसा जाता है। सील से छेड़छाड़ किए बिना इसे कपटपूर्ण व्यवहार के लिए प्रयोग नहीं किया जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है। मदरबोर्ड में डिप स्विच की व्यवस्था है और केलिब्रेशन/सत्यापन के बाद कपटपूर्ण कार्य प्रणालियों को रोकने के लिए डिप स्विच को असक्षम बनाया जाता है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी फिलिंग रेंज 10 कि.ग्रा. के साथ 20 फिल्म प्रति मिनट है।

[फा. सं. डब्ल्यू एम-21(166)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 130.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to accuracy class. X(1), Series "EWF" and with brand name "NICHROME" (hereinafter referred to as the said model), manufactured by M/s. Nichrome India Limited, Safire Park Galleria, 4, Pune-Mumbai Road, Shivaji Nagar, Pune-411 005 and which is assigned the approval mark IND/09/11/294;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument (Linear Weigher). It has maximum capacity of 5000 g. and least scale interval-(d) value of 1 g. with a frequency of 20 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of free flowing, non-sticky, non-dusty products like tea, rice, wheat, cattle feed, pulses etc. Liquid Crystal display (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hz AC power supply.

Figure-1 Model

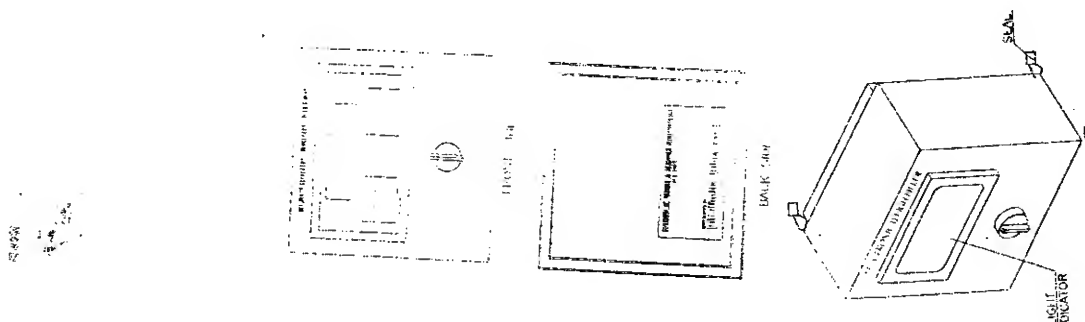


Figure-2 Sealing Diagram of the sealing provision of the model.

The sealing of the instrument is done by making two holes from the lower part and upper part of the indicator and fastened the leaded wire through these holes and for receiving the verification stamping seal. It cannot be used for fraudulent practices until unless the seal is tempered. A typical schematic diagram of sealing provision of the model is given above. There is provision for dip switch in the motherboard and after calibration/verification the dip switch is disabled to prevent fraudulent practices.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with filling range up to 10 kg. with frequency of weighing 20 fills per minute manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(166)/2011]

B. N. DIXIT, Director of Legal Metrology

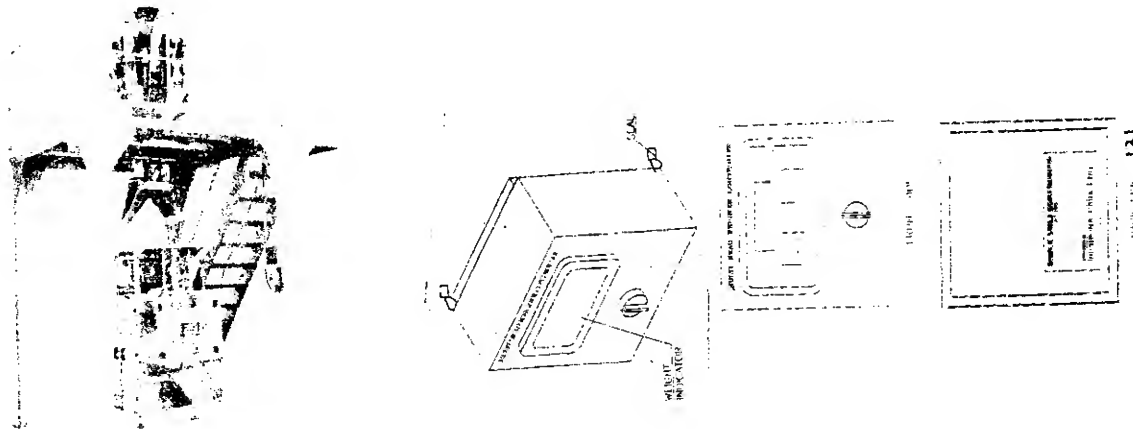
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 131.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स निकरोम इंडिया लिमिटेड, स्फायर पार्क गलेरिया, 4, पुणे-मुंबई रोड, शिवाजी नगर, पुणे-411005 द्वारा विनिर्मित यथार्थता वर्ग, रेफ X(1) वाले "एनएचएमडब्ल्यू" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्राण्ड का नाम "निकरोहोम" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/295 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (मल्टी-हैड-क्वीयर) है। इसकी अधिकतम क्षमता 500 ग्रा. और सबसे कम स्केल अंतराल 'डी' वेल्यू 0.1 ग्रा. जो उत्पाद की मात्रा और प्रकार पर आधारित फिलरेट 80 फिल्स प्रति मिनट की बारम्बारता सहित है। मशीन को फ्री फ्लोइंग, नॉन स्टिकी, नॉन डस्टी उत्पाद जैसे चिप्स, चाय, चावल, गेहूं, पशुचारा, दालें आदि भरने के लिए डिजाइन किया गया है। लिक्विड क्रिस्टल डायोड (एलसीडी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज ए सी प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम

स्ट्याम्पिंग सील के सत्यापन के लिए, इंडीकेटर के लोअर पार्ट और अपर पार्ट में दो छेद करके, इन छेदों में से लीडिड वायर कसा जाता है। सील से छेड़छाड़ किए बिना इसे कपटपूर्ण व्यवहार के लिए प्रयोग नहीं किया जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है। मदरबोर्ड में डिप स्विच की व्यवस्था है और केलिब्रेशन/सत्यापन के बाद कपटपूर्ण कार्य प्रणालियों को रोकने के लिए डिप स्विच को असक्षम बनाया जाता है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी फिलिंग रेंज 1000 ग्रा. के साथ 80 फिल्स प्रति मिनट है।

[फा. सं. डब्ल्यू एम-21(166)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 131.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument belonging to accuracy class. X(1), Series "NHMW" and with brand name "NICHROME" (hereinafter referred to as the said model), manufactured by M/s. Nichrome India Limited, Safire Park Galleria, 4, Pune-Mumbai Road, Shivaji Nagar, Pune-411 005 and which is assigned the approval mark IND/09/11/295;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument (Multi-Head-Weigher). It has maximum capacity of 500 g. and least scale interval-(d) value of 0.1 g. with a frequency of 80 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of free flowing, non-sticky, non-dusty products like chips, tea, rice, wheat, cattle feed, pulses etc. Liquid Crystal display (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hz AC power supply.

Figure-1 Model

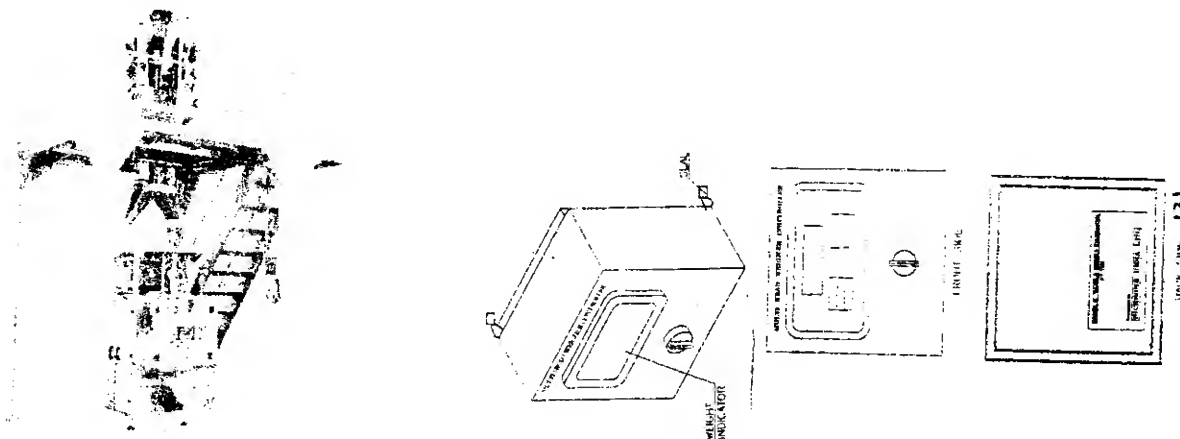


Figure-2 Sealing Diagram of the sealing provision of the model.

The sealing of the instrument is done by making two holes from the lower part and upper part of the indicator and fastened the leaded wire through these holes and for receiving the verification stamping seal. It cannot be used for fraudulent practices until unless the seal is tempered. A typical schematic diagram of sealing provision of the model is given above. There is provision for dip switch in the motherboard and after calibration/verification the dip switch is disabled to prevent fraudulent practices.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with filling range up to 1000 g. with frequency of weighing 80 fills per minute manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(166)/2011]

B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 23 सितम्बर, 2011

का.आ. 132.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

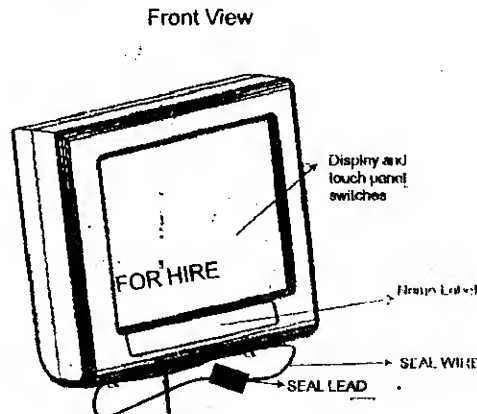
अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स स्मार्ट टेक्नोलोजी सिस्टम्स, नं. 31, पांचवा क्रॉस, एम ई एस रोड, श्रद्धाम्बा रोड, जलहाली, बंगलूर-560013 कर्नाटक द्वारा विनिर्मित “एसटीएस300एन” शृंखला के इलेक्ट्रॉनिक अंकक सूचन और प्रिंटिंग सुविधा सहित “टैक्सीमीटर” के मॉडल का, जिसके ब्रांड का नाम “स्मार्ट मीटर्स” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/338 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल मापन उपकरण है जो लगातार योग करता जाता है और यात्री द्वारा देय भाड़े को यात्रा के दौरान किसी भी समय दर्शाता है। सार्वजनिक वाहन ‘(टैक्सी या आटो रिक्शा)’ के यात्रियों द्वारा देय भाड़ा, तय की गई दूरी और निर्धारित स्पीड से कम पर व्यतीत किए गए समय का फलन है जो प्राधिकृत शुल्क के अनुसार अनुपूरक भाड़े से स्वतंत्र है। मीटर की रीडिंग लिक्विड क्रिस्टल डायोड (एलसीडी) द्वारा दर्शायी जाती है। टैक्सी मीटर का ‘के’ फेक्टर 1274 प्लसेस प्रति किलोमीटर है। इंडीकेटर में किराया सूचन के लिए 5 अंक दो डेसीमल प्वाइंट सहित रुपए में, कि.मी. में अधिकतम दूरी दर्शाने के लिए 4 अंक एक डेसीमल प्वाइंट सहित और 6 अंक (2 अंक प्रत्येक घंटा, मिनट और सैकेंड के लिए) समय दर्शाने के लिए है।

आकृति -1



SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT



आकृति -2 मॉडल के सीलिंग प्रावधान का सीलिंग डायग्राम

सील और स्टाम्प के सत्यापन के लिए दिए गए दो होल्ड स्कू सहित में से सीलिंग वायर निकाल कर मीटर की फ्रंट बाटम साइड में सील की जाती है। सील से छेड़छाड़ किए बिना टैक्सी मीटर को खोला नहीं जा सकता। इसके अतिरिक्त, मशीन को कपटपूर्ण व्यवहार के लिए खोले जाने से रोकने के लिए सीलिंग की जाती है। मॉडल के सीलिंग प्रावधान का योजनाबद्ध डायग्राम ऊपर दिया गया है।

[फा. सं. डब्ल्यू एम-21(189)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 132.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of "Taximeter" with electronic digital indication and printing facility (hereinafter referred to as the said model) of series "STS300N", brand name "Smart Meters" manufactured by M/s. Smart Technology Systems, No. 31, 5th Cross, MES Road, Sharadamba Road, Jalahalli, Bangalore-560013, Karnataka and which is assigned the approval mark IND/09/11/338;

The said model is a measuring instrument which totalizes continuously and indicates at any moment of journey, the charges payable by the passenger of a public vehicle (Taxi or auto-rickshaw) as function of the distance traveled and below a certain speed, of the length of time occupied, independent of supplementary charges according to the authorized tariffs. The reading of the meter is indicated by the Liquid Crystal Display (LCD). The constant 'k' of the Taxi Meter is 1274 impulses per indicated kilometer. The indicator has five digits with two after decimal point for fare indication in Rupees, four digits with one after decimal point for distance indication in kilometre and six digits (two digits each for hour, minute and second) for time indication.

Figure-1 (Photograph of Model)



SCHEMATIC DIAGRAM FOR SEALING ARRANGEMENT

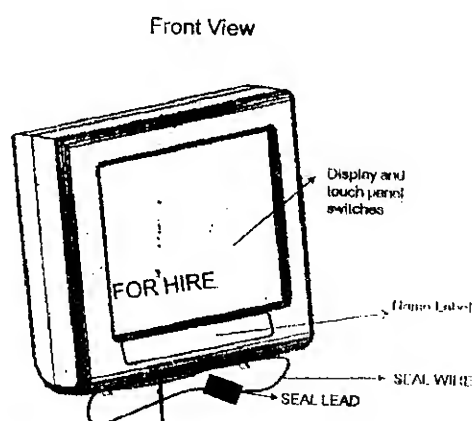


Figure-2: Schematic Diagram of sealing provision of the model.

For sealing the instrument, on the front bottom side of the taximeter two hole bearing screws are provided through which the sealing wire will pass for receiving the verification stamp and seal. The taximeter cannot be opened without tampering the seal. In addition, sealing shall also be done to prevent the opening of machine for fraudulent practices. A schematic diagram of sealing provision of the said model is given above.

[F.No. WM-21(189)/2011]

B. N. DIXIT, Director of Legal Metrology

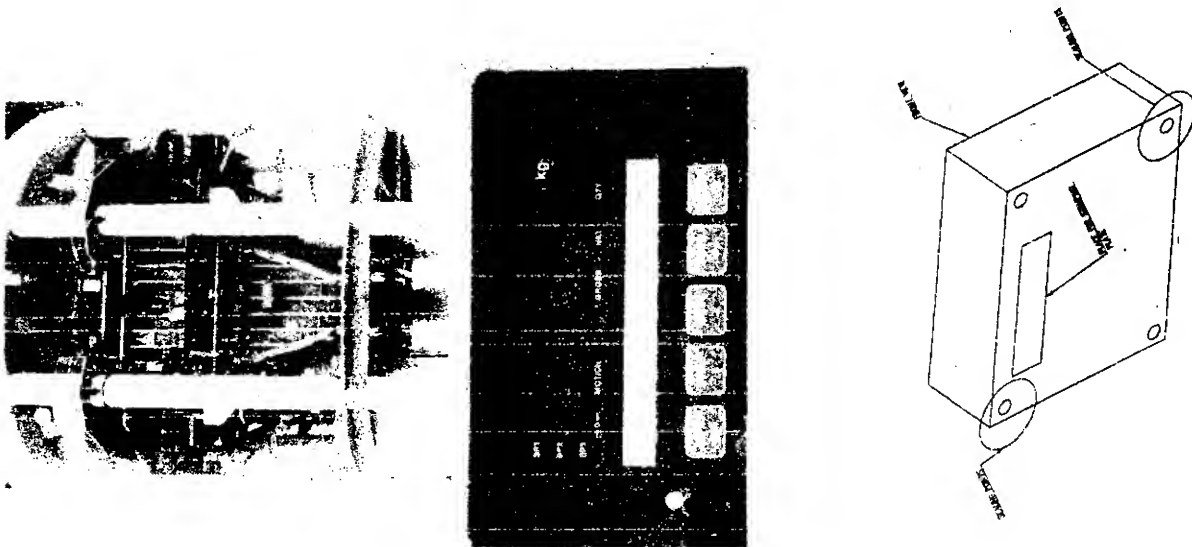
नई दिल्ली, 23 सितम्बर, 2011

का.आ. 133.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मेरिट टेक्नोलॉजी इंडिया लि., नं. 152, डिफेंस कालोनी, एकटदुतंगल, चेन्नई-600032 तमिलनाडु द्वारा विनिर्मित यथार्थता वर्ग, X(1) वाले "आरएलएस-2020" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (रेपिड लोडिंग सिस्टम) के मॉडल का, जिसके ब्राण्ड का नाम "मेरिट" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/342 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (रेपिड लोडिंग सिस्टम) है। इसकी अधिकतम क्षमता 72000 कि.ग्रा. और 'डी' वेल्यू 20 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 65 फिल्स या डिस्चार्ज प्रति घंटा है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

उपकरण की सीलिंग के लिए मंदर बोर्ड पर डिप स्विच देकर उपकरण में बाहरी केलिब्रेशन सुविधा दी गई है जो सील को बिना तोड़े अथवा छेड़खानी किए बिना केलीब्रेशन तक नहीं पहुंच सकती है। इंडीकेटर की पिछली तरफ से दो कोण वाले एक दूसरे के विपरीत दो छेद अपर कवर और तल प्लेट काट कर बनाए गए हैं और सत्यापन स्टाम्प और सीलिंग प्राप्त करने के लिए इन छेदों को लीड वायर से कसा गया है। इंडीकेटर को सील से छेड़छाड़ किए बिना नहीं खोला जा सकता। स्टॉपिंग प्लेट की सीलिंग के अलावा कपटपूर्ण व्यवहारों के लिए मशीन को खोलने से रोकने के लिए सीलिंग की जाएगी।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 10 टन से अधिक और 200 टन तक के साथ 65 फिल्स या डिस्चार्ज प्रति घंटा है।

[फा. सं. डब्ल्यू एम-21(184)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 23rd September, 2011

S.O. 133.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of Automatic Gravimetric Filling Instrument (rapid loading system) belonging to accuracy class X(1), series "RLS-2020" and with brand name "Merit" (hereinafter referred to as the said model), manufactured by M/s. Merit Technologies India Ltd., No. 152, Defence Colony, Ekkattuthangal, Chennai-600032, Tamil Nadu and which is assigned the approval mark IND/09/11/ 342;

The said model is a strain gauge type load cell based Automatic Gravimetric Filling Instrument (rapid loading system). It has maximum capacity of 72000 kg. and least scale interval (d) value of 20g. with a frequency of 65 fills or discharge per hour depending upon the quantity and nature of the product. The instrument operates on 230 Volts, 50Hz. power supply.

Figure-1 Model

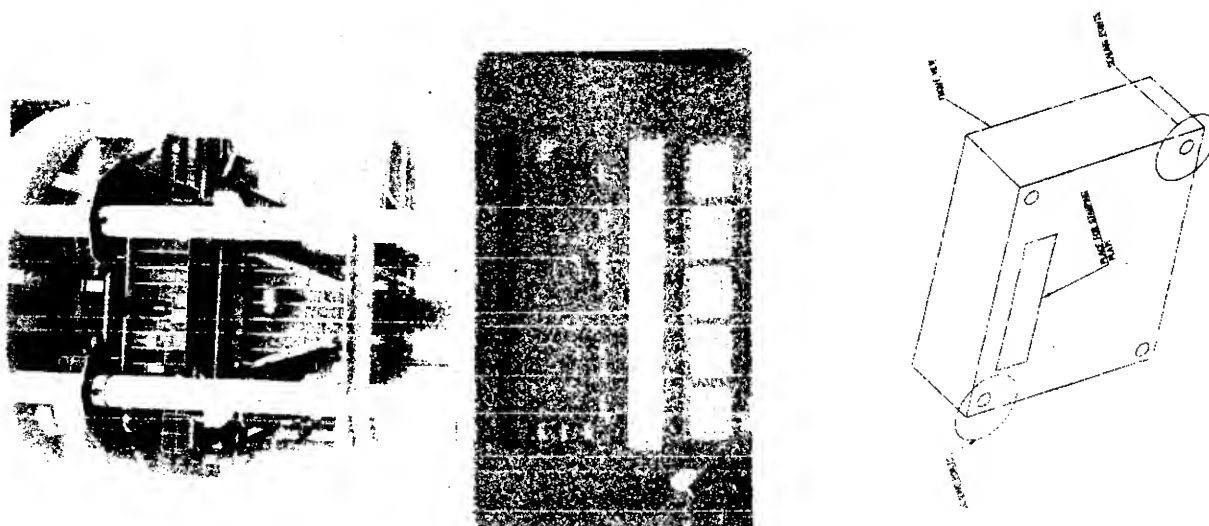


Figure-2 Sealing Diagram of the sealing provision of the model

For sealing the instrument has external calibration facility through dip switch provided on mother board which is not accessible for calibration without breaking or tempering of seal. From the rear side of indicator two diagonally opposite holes are made by cutting the upper cover and base plate and fastened by lead wire through these holes for receiving the verification stamp and seal. The indicator cannot be opened without tampering the seal. In addition to sealing the stamping plate, sealing shall be done to prevent the opening of machine for fraudulent practices.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with weighing capacity above 10 tonnes to 200 tonnes and with maximum frequency up to 65 fills or discharges per hour manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No. WM-21(184)/2011]

B. N. DIXIT, Director of Legal Metrology

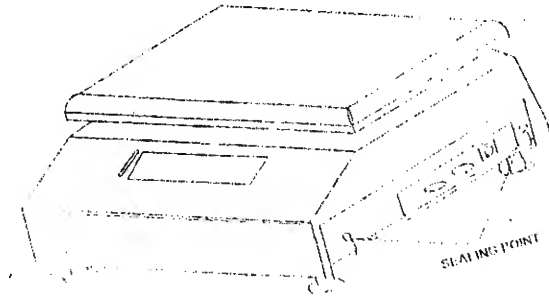
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 134.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स निशा टेक्नोलॉजी #153, शंकर नगर मैन रोड (सिडीकेट बैंक के पास) नंदिनी लेआउट, बंगलोर-560096 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "जेएस" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "वीईएनआईसीई" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/375 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाडी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} , 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(224)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 134.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class- II) of series "JS" and with brand name "VENICE" (hereinafter referred to as the said model), manufactured by M/s. Nisha Technologies, #153, Shankar Nagar Main Road (Near Syndicate Bank), Nandini Layout, Bangalore-560096 and which is assigned the approval mark IND/09/11/375;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1

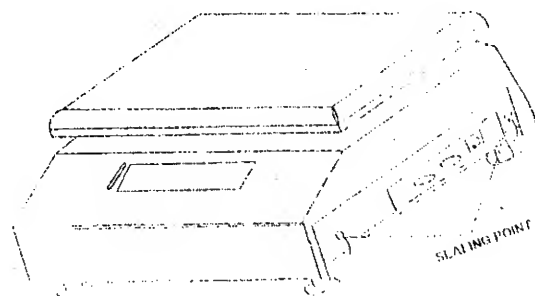


Figure-2—Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(224)/2011]

B. N. DIXIT, Director of Legal Metrology

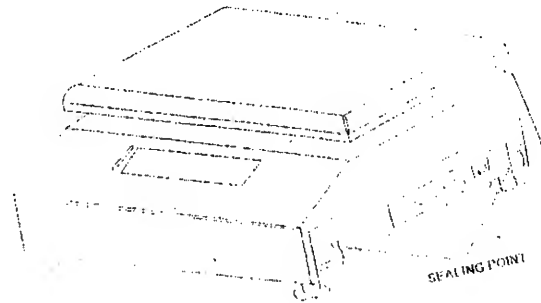
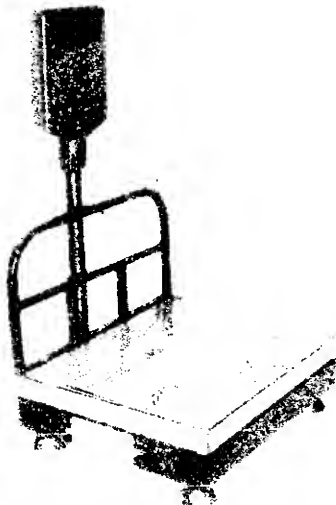
नई दिल्ली, 24 अक्तूबर, 2011

का.आ.135.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स निशा टेक्नोलॉजी, #153, शंकर नगर मैन रोड (सिड्डीकेट बैंक के पास) नंदिनी लेआउट, बेंगलोर-560096 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "टीटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "वीईएनआईसीई" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/376 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2--मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(224)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 135.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class- III) of series "TT" and with brand name "VENICE" (hereinafter referred to as the said model), manufactured by M/s. Nisha Technologies, #153, Shankar Nagar Main Road (Near Syndicate Bank), Nandini Layout, Bangalore-560 096 and which is assigned the approval mark IND/09/11/376;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1

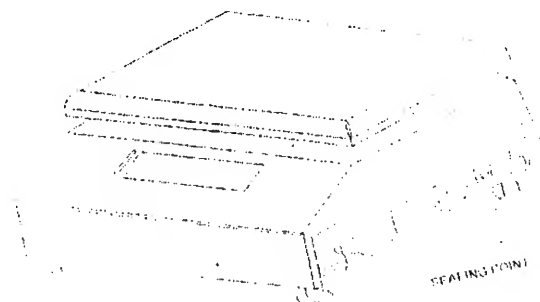
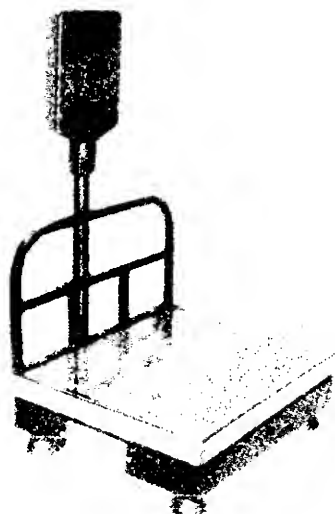


Figure-2—Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(224)/2011]

B. N. DIXIT, Director of Legal Metrology

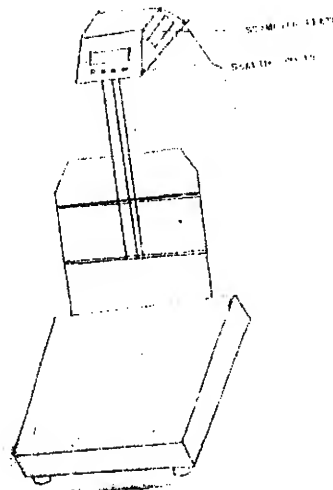
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 136.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स निशा टेक्नोलॉजी #153, शंकर नगर मेन रोड (सिडीकेट बैंक के पास) नंदिनी लेआउट, बंगलोर-560096 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "पीएफ" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "वीईएनआईसीई" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/377 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि.ग्रा. और न्यूनतम क्षमता 4 कि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 200 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -I



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 या 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(224)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 136.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series "PF" and with brand name "VENICE" (hereinafter referred to as the said model), manufactured by M/s. Nisha Technologies, #153, Shankar Nagar Main Road (Near Syndicate Bank), Nandini Layout, Bangalore-560096 and which is assigned the approval mark IND/09/11/377;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

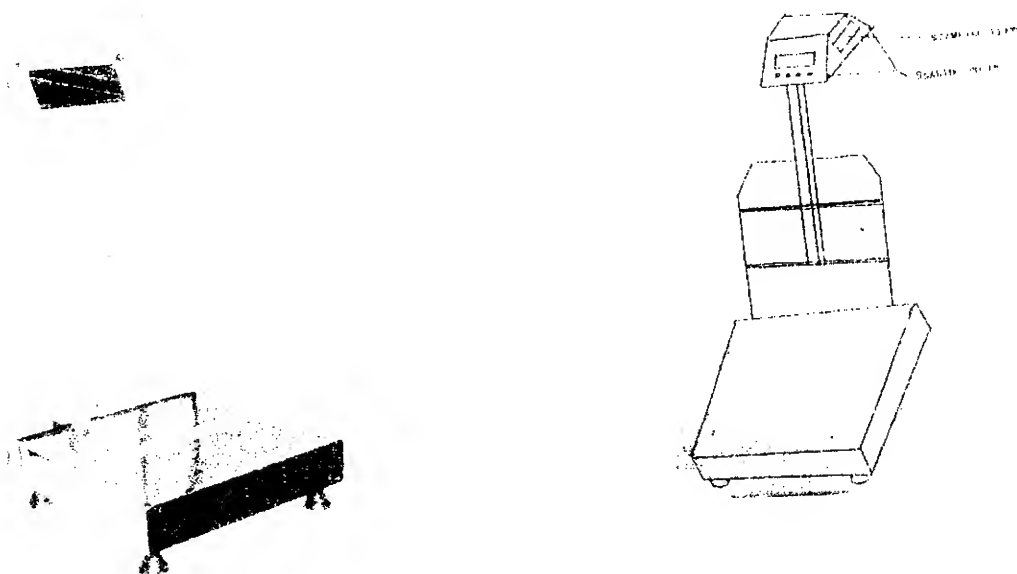


Figure-2—Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(224)/2011]

B. N. DIXIT, Director of Legal Metrology

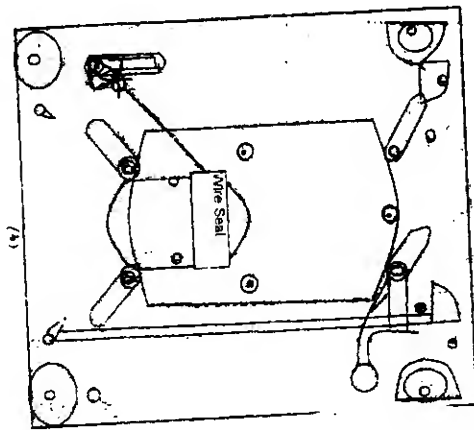
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 137.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कोरपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पिने बुक, एनजे 07058-2033, यूएसए द्वारा विनिर्मित विशेष यथार्थता (यथार्थता वर्ग-1) के "एक्सप्लोरर" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्राण्ड का नाम "ओहॉस" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ओहॉस वेइंग इंडिया प्रा. लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400072 द्वारा भारत में बिक्री से पूर्व या पश्चात् बिना किसी परिवर्तन के बिक्रीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/11/372 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक इलेक्ट्रो मैग्नेटिक फॉर्स कम्पेनसेशन प्रिंसीपल पर आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 220 ग्रा. है और न्यूनतम क्षमता 100 मि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 1 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी कैलिब्रेशन तक पहुंच की सुविधा है। बाहरी कैलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 50000 या अधिक के रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^4 , 2×10^4 या 5×10^4 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(221)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 137.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of special accuracy (accuracy class-I) of series "EXPLORER" and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 which is assigned the approval mark IND/09/11/372;

The said model is electro magnetic force compensation principle based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 220g. and minimum capacity of 100mg. The verification scale interval (e) is 1mg. It has a tare device with a 100 per cent subtractive retained tare effect. The color graphic liquid crystal diode (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

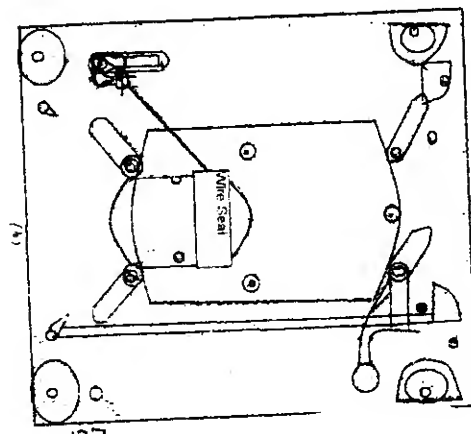
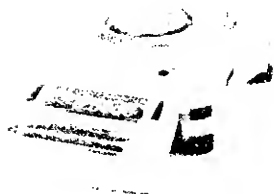


Figure-2 Schematic Diagram of the sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 50000 or more and with 'e' value of 1mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(221)/2011]

B. N. DIXIT, Director of Legal Metrology

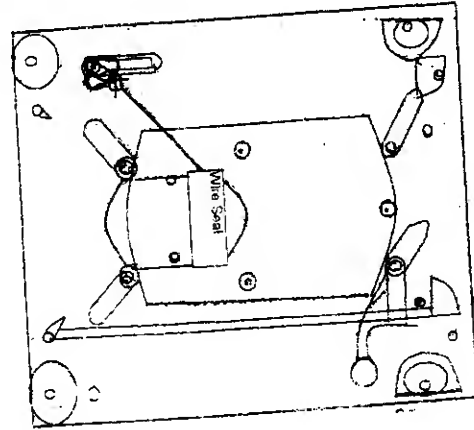
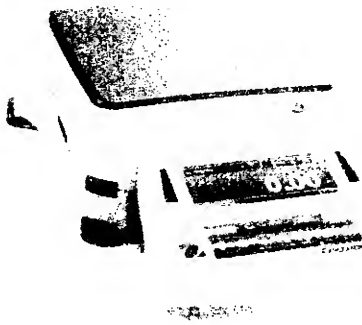
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 138.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कोरपोरेशन, 19ए, चैपिन रोड, पी ओ बॉक्स 2033, पिने बुक, एनजे 07058-2033, यूएसए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) के “एक्सप्लोरर” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम “ओहॉस” है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ओहॉस वेइंग इंडिया प्रा. लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400072 द्वारा भारत में बिक्री से पूर्व या पश्चात् बिना किसी परिवर्तन के बिक्रीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/11/373 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक इलैक्ट्रो मैग्नेटिक फोर्स कम्पेन्सेशन प्रिन्सिपल पर आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 420 ग्रा. है और न्यूनतम क्षमता 200 मि.ग्रा. है। सत्यापन मापमान अंतराल (ई) 10 मि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के “ई” मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के “ई” मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(221)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 138.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of high accuracy (Accuracy class-II) of series "EXPLORER" and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 which is assigned the approval mark IND/09/11/373;

The said model is electro magnetic force compensation principle based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 420g. and minimum capacity of 200mg. The verification scale interval (e) is 10mg. It has a tare device with a 100 per cent subtractive retained tare effect. The color graphic liquid crystal display (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

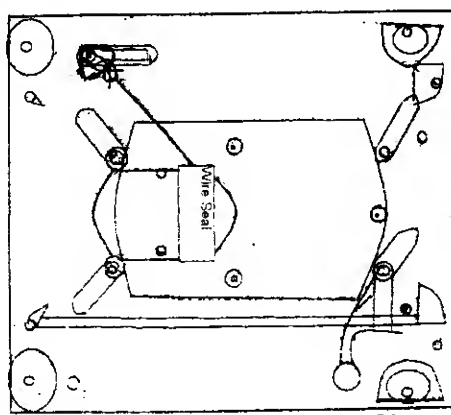


Figure-2—Schematic Diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A calibration switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(221)/2011]

B. N. DIXIT, Director of Legal Metrology

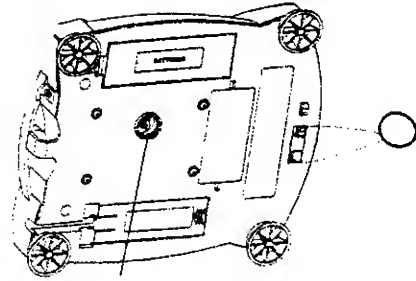
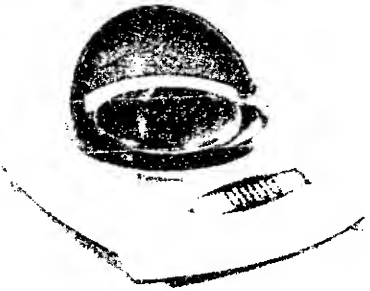
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 139.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ओहॉस कोरपोरेशन, 19ए, चैपिन रोड, पी ओ बाक्स 2033, पिने ब्रुक, एनजे 07058-2033, यूएसए द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) के "एसपीजे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "ओहॉस" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ओहॉस वेइंग इंडिया प्रा. लि., अमर हिल, साकी विहार रोड, पोवई, मुंबई-400072 द्वारा भारत में बिक्री से पूर्व या पश्चात् बिना किसी परिवर्तन के बिक्रीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/11/374 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) है। इसकी अधिकतम क्षमता 60 ग्रा. (300 कैरेट) और न्यूनतम क्षमता 20 मि.ग्रा. (0.1 कैरेट) है। सत्यापन मापमान अंतराल (ई) 1 मि.ग्रा. (0.005 कैरेट) है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टाप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(221)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 139.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of high accuracy (Accuracy class-II) of series "SPJ" and with brand name "OHAUS" (hereinafter referred to as the said model), manufactured by M/s. Ohaus Corporation, 19A, Chapin Road, P.O. Box 2033, Pine Brook, NJ 07058-2033, USA and marketed in India without any alteration before or after sale by M/s. Ohaus Weighing India Private Limited, Amar Hill, Saki Vihar Road, Powai, Mumbai-400072 which is assigned the approval mark IND/09/11/374;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 60g (300 carat) and minimum capacity of 20mg (0.1 carat). The verification scale interval (e) is 1mg (0.005 carat). It has a tare device with a 100 per cent subtractive retained tare effect. The liquid crystal display (LCD) indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model



Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A calibration switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with verification scale interval (n) in the range of 100 to 100000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 100000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(221)/2011]

B. N. DIXIT, Director of Legal Metrology

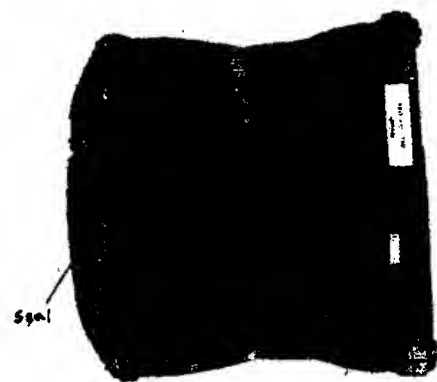
नई दिल्ली, 24 अक्टूबर, 2011

क्र.आ. 140.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 की शक्तियों का प्रयोग करते हुए मैसर्स ए एंड डी कंपनी लि., 3-23-14, हिगाशी, इकेबुकुरो, तोशिमा-कु, टोक्यो-1700013 जापान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "ईके-वी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "ए एंड डी" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ए एंड डी इंस्ट्रुमेंट्स इंडिया (प्रा.) लि., 509, उद्योग विहार, फेज-V, गुडगांव, हरियाणा-122016 द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के बिक्रीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/11/353 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टाप प्रकार) है। इसकी अधिकतम क्षमता 6100 ग्रा. और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 0.1 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। लिक्विड क्रिस्टल डायोड (एलसीडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे। 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(206)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 140.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top type) with digital indication of high accuracy (accuracy class-II) of series "EK-V" and with brand name "A & D" (hereinafter referred to as the said model), manufactured by M/s. A & D Company Limited, 3-23-14, Higashi-Ikebukuro, Toshima-Ku, Tokyo-170 0013, Japan and marketed in India without any alteration before or after sale by M/s. A & D Instruments India (P) Limited, 509, Udyog Vihar, Phase-V, Gurgaon, Haryana-122016 which is assigned the approval mark IND/09/11/353;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 6100g and minimum capacity of 5g. The verification scale interval (e) is 0.1g. It has a tare device with a 100 per cent subtractive retained tare effect. The Liquid Crystal Display (LCD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

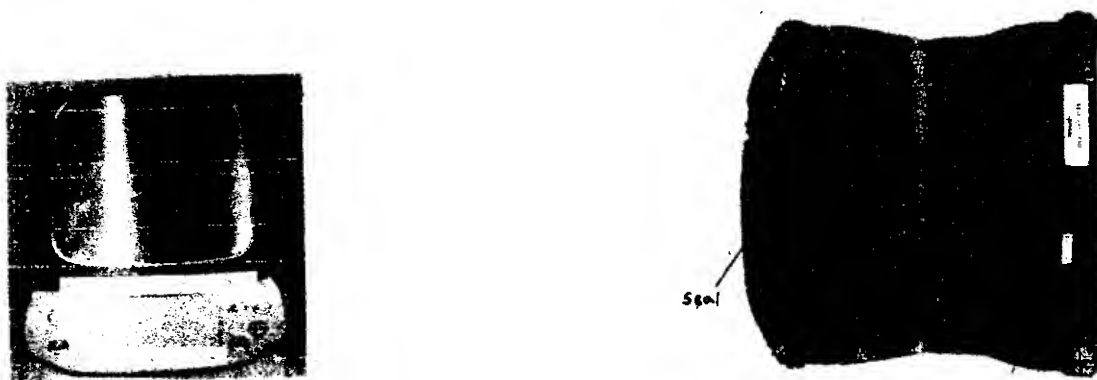


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A calibration switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 100000 for 'e' value of 1 mg to 50mg and with verification scale interval (n) in the range of 5000 to 100000 for 'e' value of 100 mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(206)/2011]

B. N. DIXIT, Director of Legal Metrology

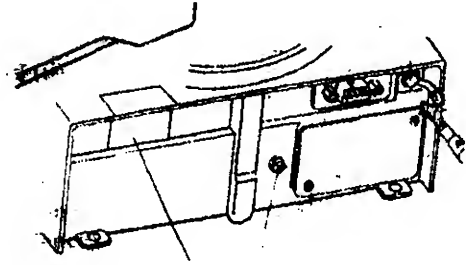
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 141.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 की प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ए एंड डी कंपनी लि., 3-23-14, हिगाशी, इकेबुकुरो, तोशियामा-कु, टोक्यो-1700013 जापान द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाली "एफ एक्स" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल-का, जिसके ब्रांड का नाम "ए एंड डी" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे मैसर्स ए एंड डी इंस्ट्रूमेंट्स इंडिया (प्रा) लि. 509, उद्योग विहार, फेज-V, गुडगांव, हरियाणा-122016 द्वारा भारत में बिक्री से पूर्व अथवा बाद में बिना किसी परिवर्तन के बिक्रीत किया गया है और जिसे अनुमोदन चिह्न आई एन डी/09/11/354 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल (टेबल टॉप टाइप) फोर्स रिस्टोरेशन के सिद्धांत पर कार्य करता है। इसकी अधिकतम क्षमता 3200 ग्रा. और न्यूनतम क्षमता 5 ग्रा. है। सत्यापन मापमान अंतराल (ई) 100 मि.ग्रा. 'डी' वेल्यू 10 मि.ग्रा. सहित है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। वेक्यूम फ्लोरेसेंट डिस्प्ले (वीएफडी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत् प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्प्ले की बाड़ी में से सीलिंग क्लिप निकाल कर डिस्प्ले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्प्ले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल का विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(206)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 141.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of high accuracy (accuracy class-II) of series "FX" and with brand name "A & D" (hereinafter referred to as the said model), manufactured by M/s. A & D Company Limited, 3-23-14, Higashi-Ikebukuro, Toshima-Ku, Tokyo-170 0013, Japan and marketed in India without any alteration before or after sale by M/s. A & D Instruments India (P) Limited, 509, Udyog Vihar, Phase-V, Gurgaon, Haryana-122016 which is assigned the approval mark IND/09/11/354;

The said model (Table Top Type) is working on the principle of force restoration with a maximum capacity of 3200g and minimum capacity of 5g. The verification scale interval (e) is 100 mg with its 'd' value of 10 mg. It has a tare device with a 100 per cent subtractive retained tare effect. The Vacuum Fluorescent Display (VFD) indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

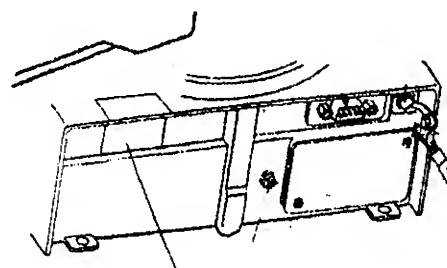
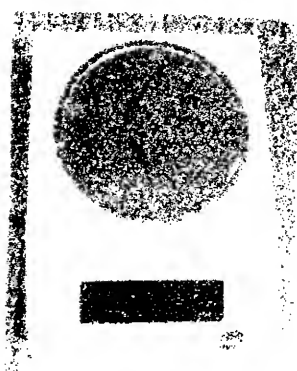


Figure-2 Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A calibration switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1 mg to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F. No. WM-21(206)/2011]

B. N. DIXIT, Director of Legal Metrology

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 142.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class-III) of series "SWPC" and with brand name "SMART WEIGH" (hereinafter referred to as the said model), manufactured by M/s. Universal Marketing, H. No. 14, MIG-II, Mushk Mahal Residential Complex, Attapur, Hyderabad-500064 and which is assigned the approval mark IND/09/11/371;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type—price computing and piece counting facility) with a maximum capacity of 1000kg. and minimum capacity of 4kg. The verification scale interval (e) is 200g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

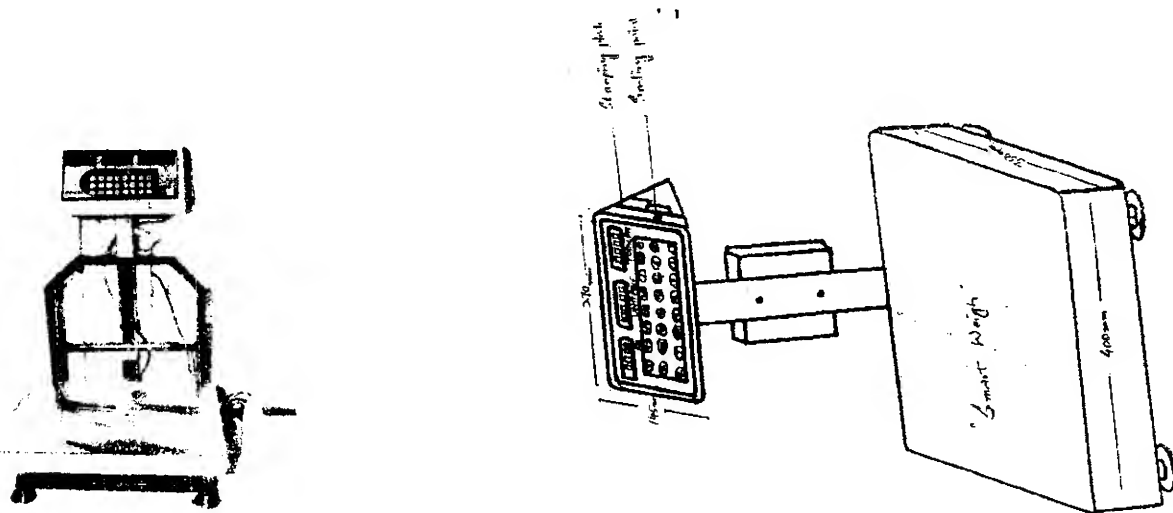


Figure-2 Schematic Diagram of the sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No. WM-21(223)/2011]

B. N. DIXIT, Director of Legal Metrology

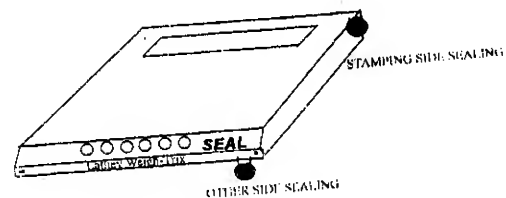
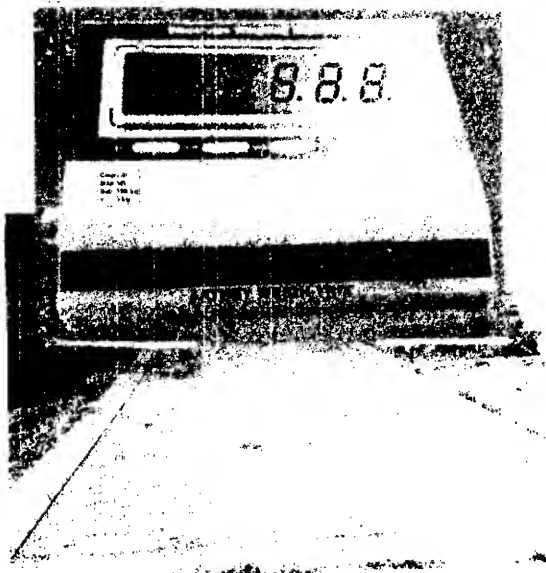
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 143.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स लेथी वे-ट्रिक्स, 40, प्रेम प्रयाग कालोनी, गढ़ रोड, मेरठ-250004 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एलडब्ल्यूटी/डब्ल्यूबी-50टी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्राण्ड का नाम "एसईएएल" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/355 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। एलईडी/एलसीडी तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$ के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(161)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 143.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Electronic Weighbridge) with digital indication of medium accuracy (Accuracy class-III) of series "LWT/WB-50T" and with brand name "SEAL" (hereinafter referred to as the said model), manufactured by M/s. Lathey Weigh-Trix, 40, Prem Prayag Colony, Garh Road, Merrut-250004, Uttar Pradesh and which is assigned the approval mark IND/09/11/355;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Electronic Weighbridge) with a maximum capacity of 50 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. LED/LCD display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

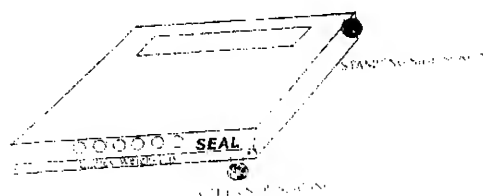
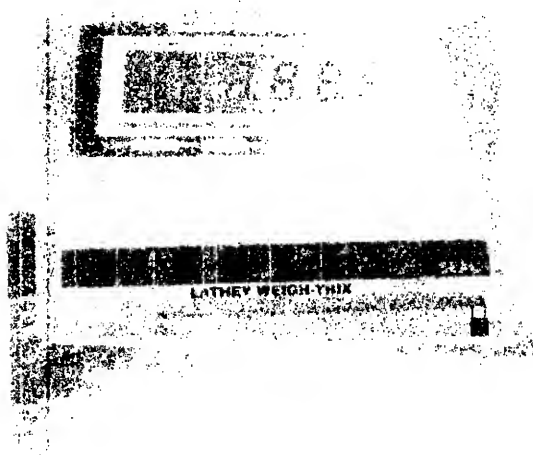


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip'switch has also been provided in A/D card mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with above 5 tonne and up to 200 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[E.No. WM-21(161)/2011]

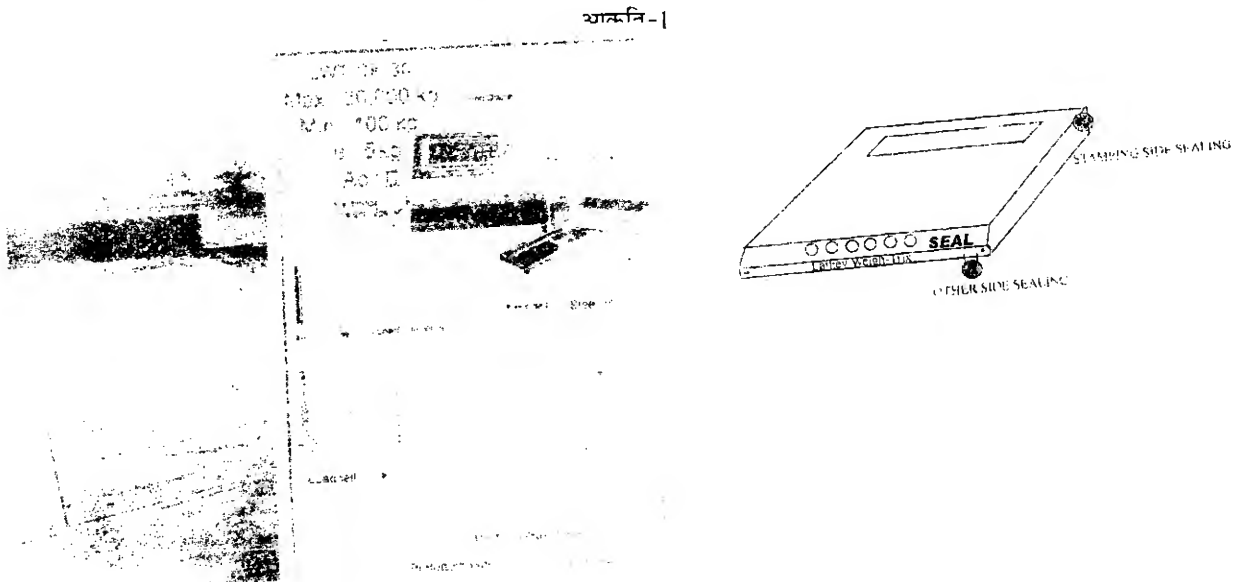
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 144.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स लेथी वे-ट्रिक्स, 40, प्रेम प्रयाग कालोनी, गढ़ रोड, मेरठ-250004 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “डब्ल्यूटी/सीके-30टी” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (कनवर्सन किट के लिए इलेक्ट्रॉनिक वेब्रिज) के मॉडल का, जिसके ब्राण्ड का नाम “एसईएल” है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/356 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (कनवर्सन किट के लिए इलेक्ट्रॉनिक वेब्रिज) है। इसकी अधिकतम क्षमता 30 टन है और न्यूनतम क्षमता 100 कि.ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। एलईडी/एलसीडी तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 150 टन तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(161)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 144.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Conversion Kit for Electronic Weighbridge) with digital indication of Medium Accuracy (Accuracy class-III) of series "LWT/CK-30T" and with brand name "SEAL" (hereinafter referred to as the said model), manufactured by M/s. Lathey Weigh-Trix, 40, Prem Prayag Colony, Garh Road, Merrut-250004, Uttar Pradesh and which is assigned the approval mark IND/09/11/356;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Conversion Kit for Electronic Weighbridge) with a maximum capacity of 30 tonne and minimum capacity of 100kg. The verification scale interval (e) is 5kg. It has a tare device with a 100 per cent subtractive retained tare effect. LED/LCD display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

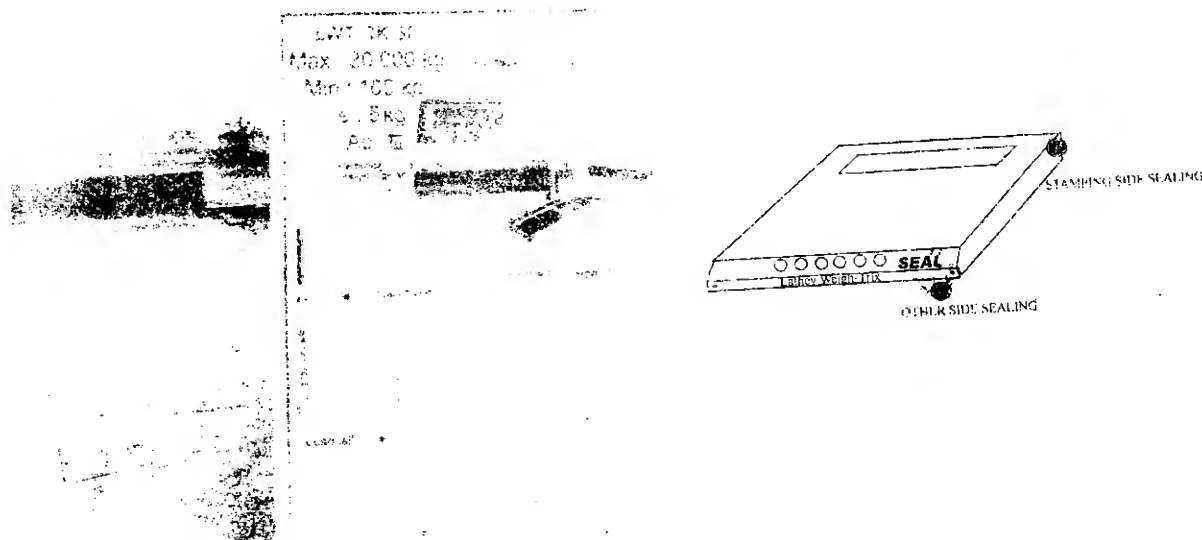


Figure-2—Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with above 5 tonne and up to 150 tonne with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(161)/2011]

B. N. DIXIT, Director of Legal Metrology

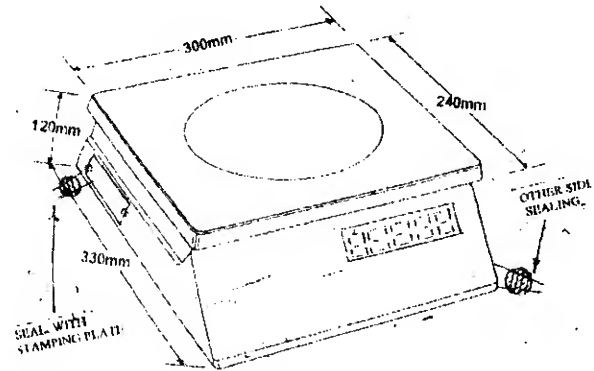
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 145.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सनसंग इलेक्ट्रॉनिक्स, प्लेट नं. 17, भैरवनाथ नगर अपार्टमेंट, बिल्डिंग-डी नई एस.नं. 13/2बी/1, पीएल-1/कटराज, सुखसागर टेलीफोन एक्सचेंज के पास, पुणे-411046 द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "एसएजे" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "सनसंग" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/349 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि.ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि.ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$ या $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(205)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 145.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of High Accuracy (Accuracy class- II) of series "SAJ" and with brand name "SANSUNG" (hereinafter referred to as the said model), manufactured by M/s. Sansung Electronics, Flat No. 17, Bhairavnath Nagar Apartment, Building-D New S. No. 13/2B/1, PL-1/Katraj, Near Sukhsagar Telephone Exchange, Pune-411046 and which is assigned the approval mark IND/09/11/349.

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1

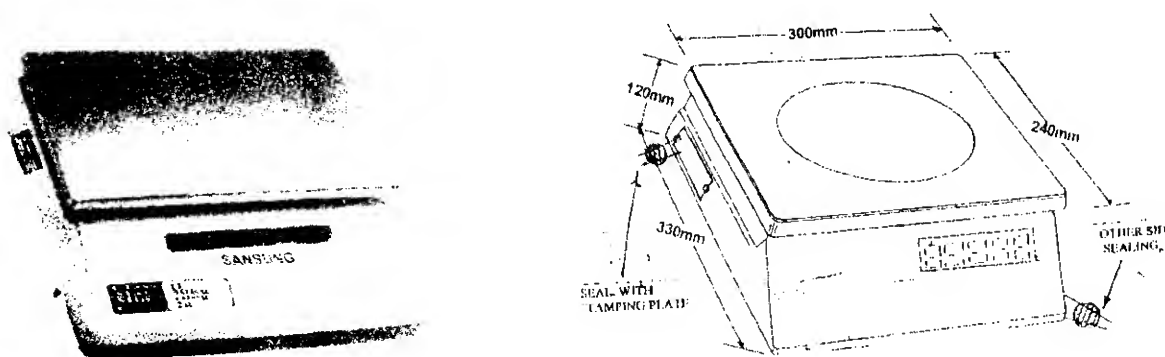


Figure-2—Schematic diagram of sealing provision of the model.

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg to 50mg and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100mg or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(205)/2011]

B. N. DIXIT, Director of Legal Metrology

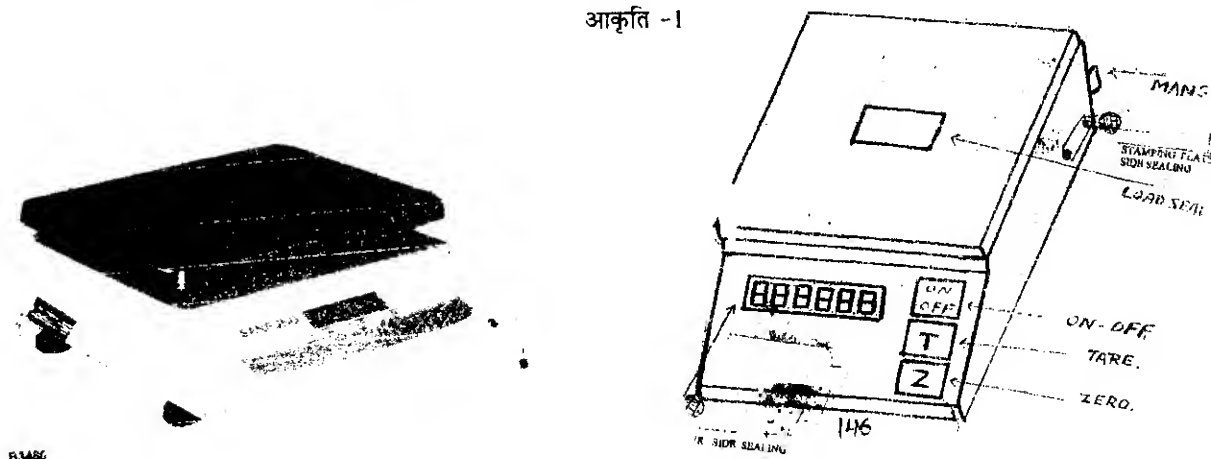
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 146.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स सनसंग इलेक्ट्रॉनिक्स, प्लेट नं. 17, भैरवनाथ नगर अपार्टमेंट, बिल्डिंग-डी नई एस. नं. 13/2बी/1, पीएल.1/कटराज, सुखसागर टेलीफोन एक्सचेंज के पास, पुणे-411046 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसएटी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्रांड का नाम "सनसंग" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/350 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाडी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^{-6} , 2×10^{-6} या 5×10^{-6} , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(205)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 146.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of Medium Accuracy (Accuracy class- III) of series "SAT" and with brand name "SANSUNG" (hereinafter referred to as the said model), manufactured by M/s. Sansung Electronics, Flat No. 17, Bhairavnath Nagar Apartment, Building-D New S. No. 13/2B/1, PL-1/Katraj, Near Sukhsagar Telephone Exchange, Pune-411046 and which is assigned the approval mark IND/09/11/350;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

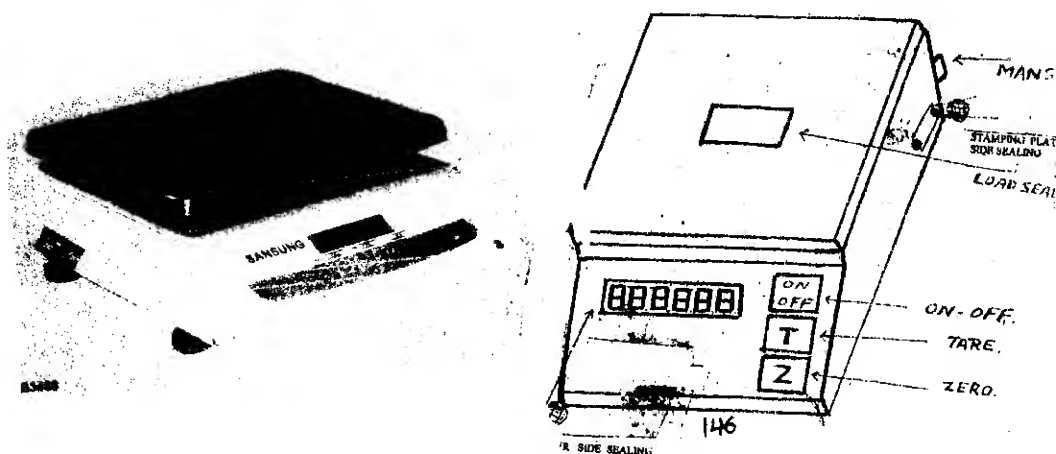


Figure-2 Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F.No.WM-21(205)/2011]

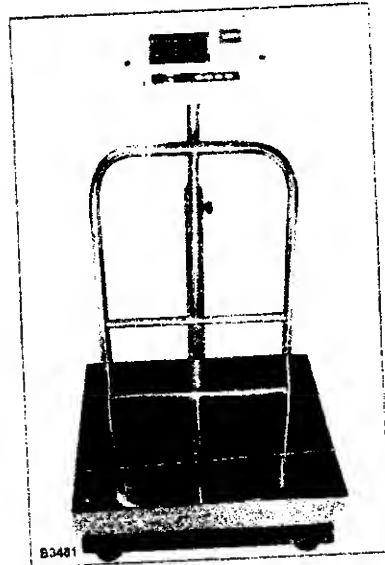
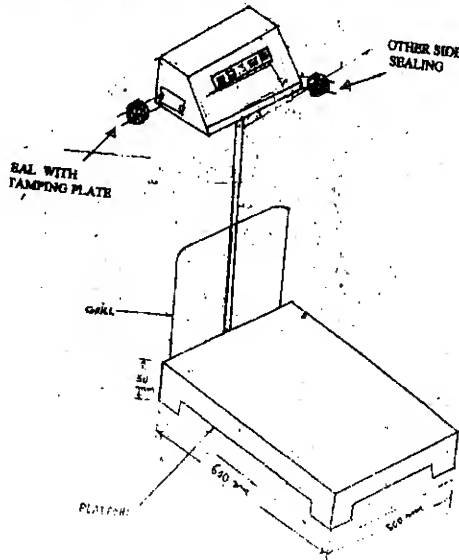
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 147.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सनसंग इलेक्ट्रॉनिक्स, प्लेट नं. 17, भैरवनाथ नगर अपार्टमेंट, बिल्डिंग-डी नई एस. नं. 13/2बी/1, पीएल.1/कटराज, सुखसागर टेलीफोन एक्सचेंज के पास, पुणे-411046 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसएपी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "सनसंग" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/351 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और, केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(205)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 147.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of Medium Accuracy (Accuracy class- III) of series "SAP" and with brand name "SANSUNG" (hereinafter referred to as the said model), manufactured by M/s. Sansung Electronics, Flat No. 17, Bhairavnath Nagar Apartment, Building-D New S. No. 13/2B/1, PL-1/Katraj, Near Sukhsagar Telephone Exchange, Pune-411046 and which is assigned the approval mark IND/09/11/351;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

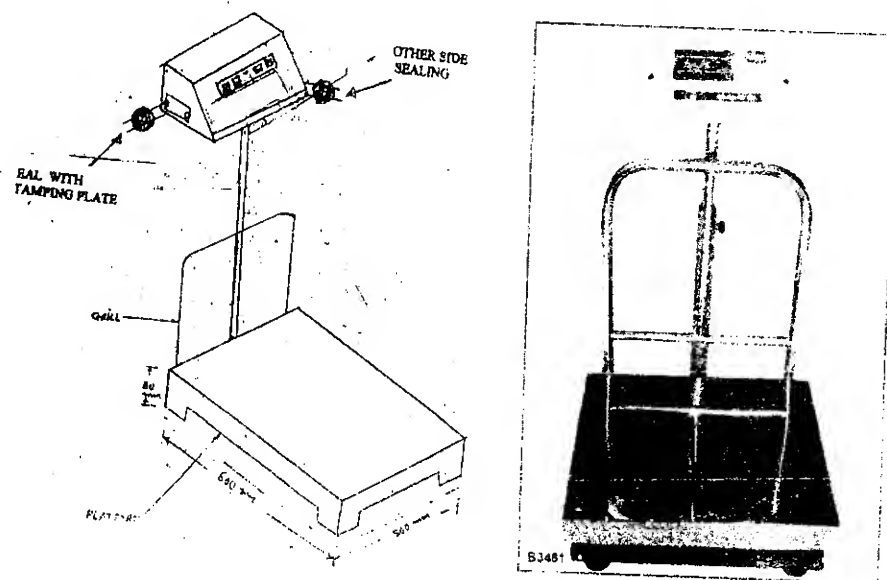


Figure-2 Schematic Diagram of the sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity from 50 kg. and up to 5000 kg. with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(205)/2011]

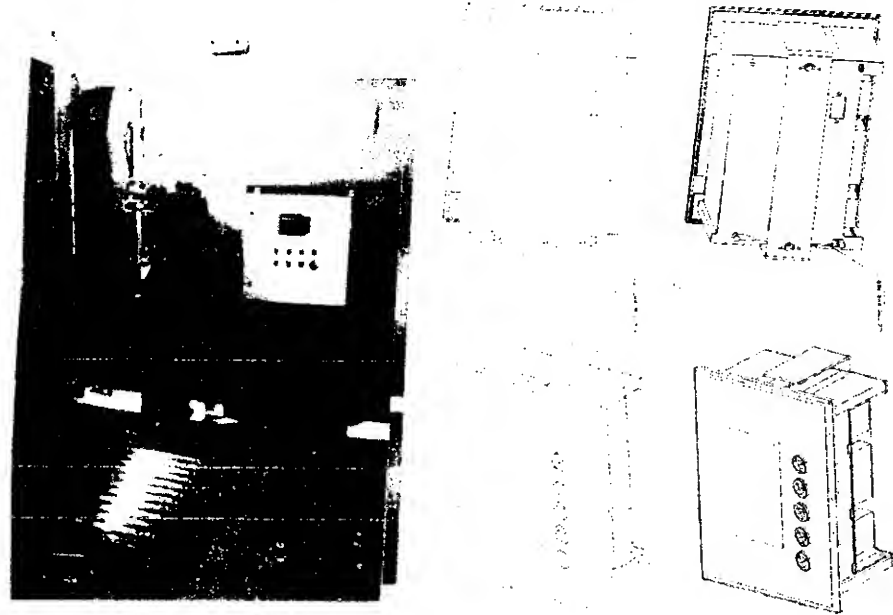
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 148.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मैटलर टोलेडो इंडिया प्राइवेट लि. अमर हिल्स, एस. वी. रोड, पोवई, मुंबई-400072 द्वारा विनिर्मित यथार्थता वर्ग, X (x) जहाँ $x=1$ वाले “डीएफएस” शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (ड्रम फिलिंग सिस्टम) के मॉडल का, जिसके ब्राण्ड का नाम “मैटलर टोलेडो” है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/359 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण (ड्रम फिलिंग सिस्टम) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और ‘डी’ वेल्यू 100 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 20 फिल्स प्रति मिनट है। मशीन को सभी प्रकार विसकॉस/नॉन-विसकॉस लिक्विड, केमिकल्स, पेंट, आयल आदि के भरने के लिए डिजाइन किया गया है वेक्यूम फ्लारेंस डिस्पले (वी एफ डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के सत्यापन के लिए इंडोकेटर के रियर साइड में कवर और ब्रेकिट में दो बोर्ड स्कू करके, इन छेदों में से लीडिड सीलिंग वायर कसा जाता है। सील से छेड़छाड़ किए बिना इसे कपटपूर्ण व्यवहार के लिए प्रयोग नहीं किया जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और, केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मैन, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 50 कि.ग्रा. से 3000 कि.ग्रा. तक की होगी।

[फा. सं. डब्ल्यू एम-21(210)/2011]

बी. एन. दोक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 148.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument (drum filling system) belonging to accuracy class. X(x) where $x=1$ of series "DFS" and with brand name "METTLER-TOLEDO" (hereinafter referred to as the said model), manufactured by M/s Mettler-Toledo India Private Limited, Amar Hill, S. V. Road, Powai, Mumbai-400072 and which is assigned the approval mark IND/09/11/359;

The said model is a strain gauge type load cell based automatic gravimetric filling instrument (drum filling system). It has maximum capacity of 1000kg. and d value of 100g. with a frequency of 20 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of viscous/non-viscous liquids, chemicals, Paints, oils etc. Vacuum florescent display (VFD) indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

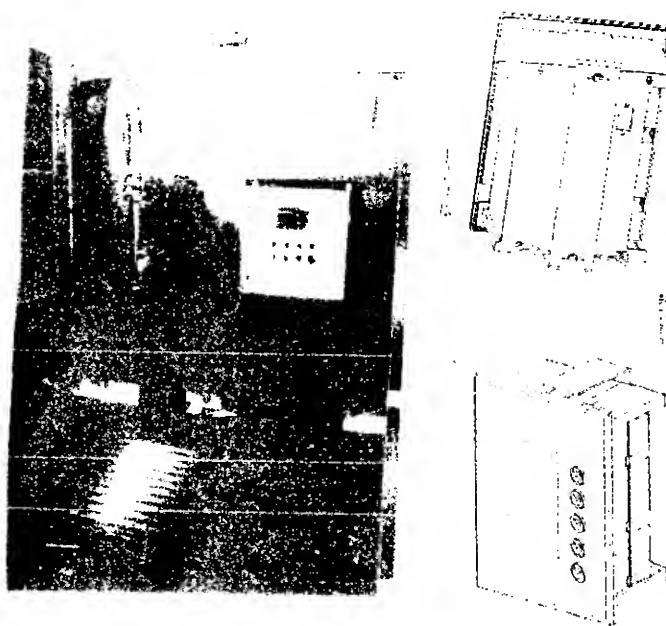


Figure-2 Schematic Diagram of the sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with capacity up to 50 kg. and up to 3000kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(210)/2011]

B. N. DIXIT, Director of Legal Metrology

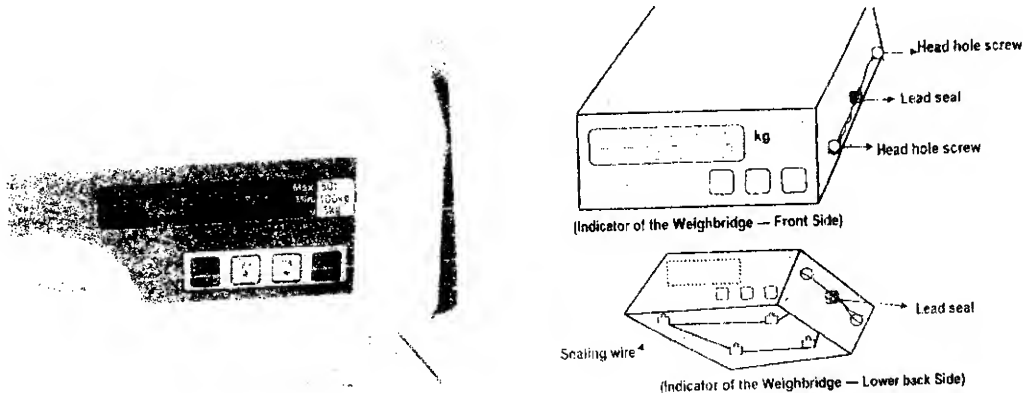
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 149.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप हैं और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सूर्या उदय इंजीनियर्स, ए-5, वेद भवन, पारिक स्कूल के समाने, जोटवारा रोड, जयपुर, राजस्थान द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "एसडब्ल्यूबी" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेजब्रिज) के मॉडल का, जिसके ब्राण्ड का नाम "सूर्या डीजी" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/357 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (इलेक्ट्रॉनिक वेजब्रिज) है। इसकी अधिकतम क्षमता 50 टन है और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 5 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 5 टन से 200 टन तक की अधिकतम क्षमता वाले हैं और "ई" मान 1×10^3 , 2×10^3 , 5×10^3 , के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(120)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

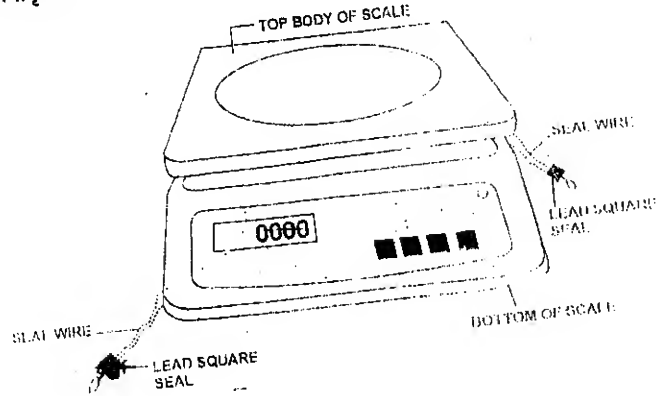
नई दिल्ली, 24 अक्तूबर, 2011

का.आ. 150.—केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स जे पी टेक्नोलॉजी, ब्लॉक नं. 21/355, रघुवीर अपार्टमेंट, पंचदेव मंदिर के पास, अरबुदा नगर बस स्टॉप के पास, ओधव, अहमदाबाद द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग-II) वाले "जेमैटी-टीटी-2" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "श्री" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/392 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबलटाप टाइप) है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 2 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रत्यापन पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकाल कर सैल से जोड़ा गया है। मॉडल को सीलबंद करने की उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है, विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 1 मि.ग्रा. से 50 मि. ग्रा. तक के "ई" मान के लिए 100 से 100,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 100,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(181)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 150.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table Top Type) with digital indication of High Accuracy (Accuracy class-II) of series "JPT-TT-2" and with brand name "SHREE" (hereinafter referred to as the said model), manufactured by M/s. J. P. Technology, Block No. 21/355, Raghuvir Apartment, Near Panchdev Mandir, Near Arbuda Nagar Bus Stop, Odhav, Ahmedabad and which is assigned the approval mark IND/09/11/392;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table Top Type) with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

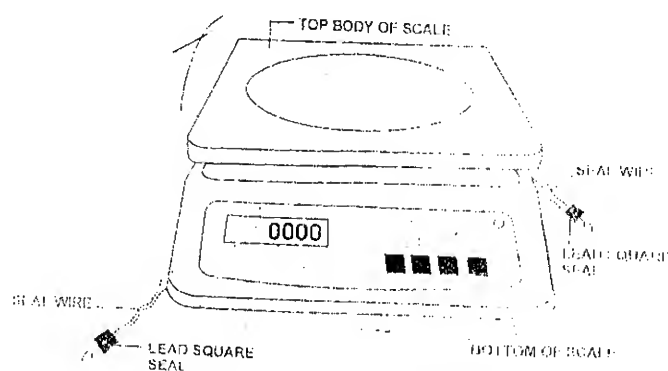


Figure-2— Schematic Diagram of sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 100,000 for 'e' value of 1mg. to 50 mg. and with verification scale interval (n) in the range of 5000 to 100,000 for 'e' value of 100 mg. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No. WM-21(181)/2011]

B. N. DIXIT, Director of Legal Metrology

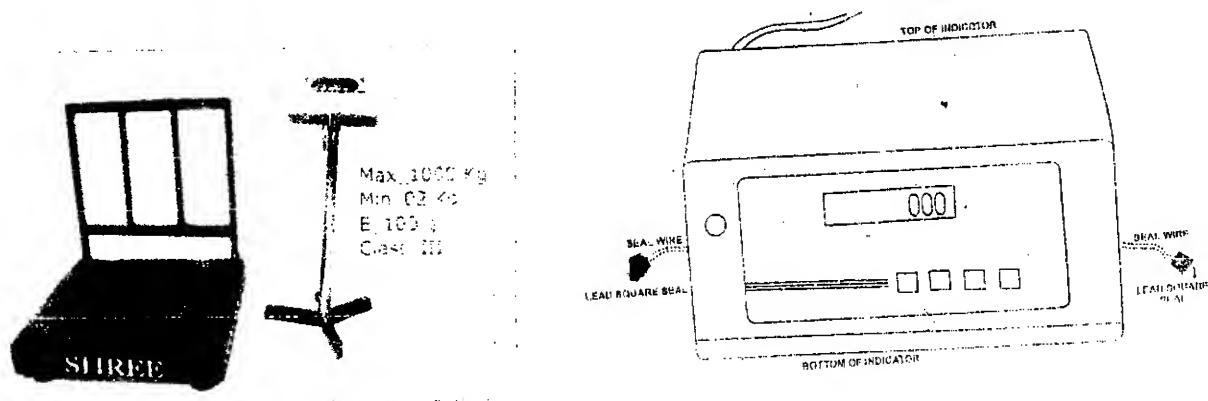
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 151.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स जे पी टेक्नोलॉजी, ब्लॉक नं. 21/355 रघुवीर अपार्टमेंट, पंचदेव मंदिर के पास, अरबुदा नगर बस स्टॉप के पास, ओधं, अहमदाबाद द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले “जेपीटी-पीएफ” शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) के मॉडल का, जिसके ब्रांड का नाम “श्री” है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/393 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (प्लेटफार्म टाइप) है। इसकी अधिकतम क्षमता 1000 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अन्तराल (ई) 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत-प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

डिस्पले की बाड़ी में से सीलिंग वायर निकालकर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर निकालकर सील से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 5 ग्रा. या उससे अधिक के “ई” मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अन्तराल (एन) सहित 50 कि. ग्रा. से 5000 कि.ग्रा. तक की अधिकतम क्षमता वाले हैं और “ई” मान 1×10^3 , 2×10^3 या 5×10^3 के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(181)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 151.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of non-automatic weighing instrument (Platform type) with digital indication of medium accuracy (accuracy class- III) of series "JPT-PF" and with brand name "SHREE" (hereinafter referred to as the said model), manufactured by M/s. J. P. Technology, Block No. 21/355 Raghuvir Apartment, Near Panchdev Mandir, Near Artuda Nagar Bus Stop, Odhav, Ahmedabad and which is assigned the approval mark IND/09/11/393;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Platform Type) with a maximum capacity of 1000kg. and minimum capacity of 2kg. The verification scale interval (e) is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230Volts, 50Hertz alternative current power supply.

Figure-1 Model

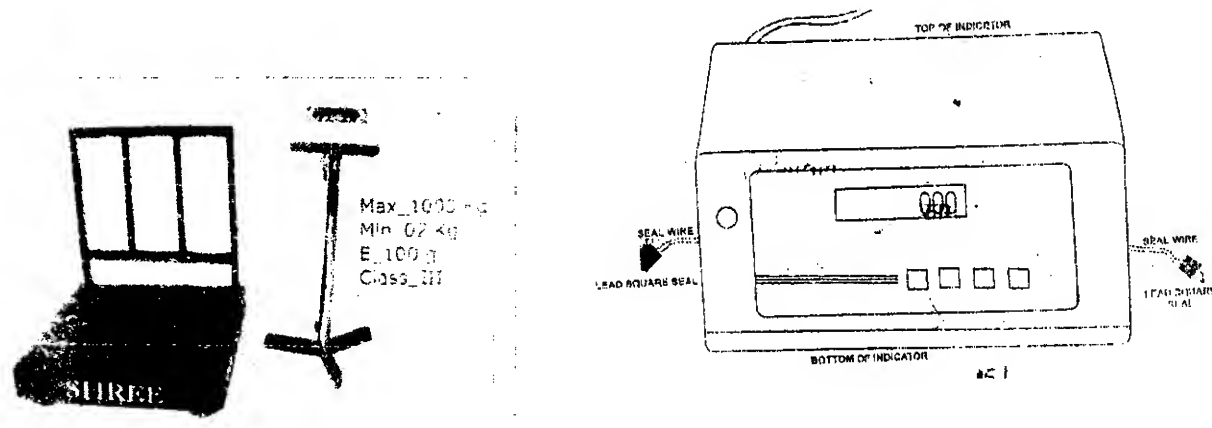


Figure-2 Schematic Diagram of the sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by hole in base plate and top cover of display, then seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity above 50 kg and up to 5000kg with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(181)/2011]

B. N. DIXIT, Director of Legal Metrology

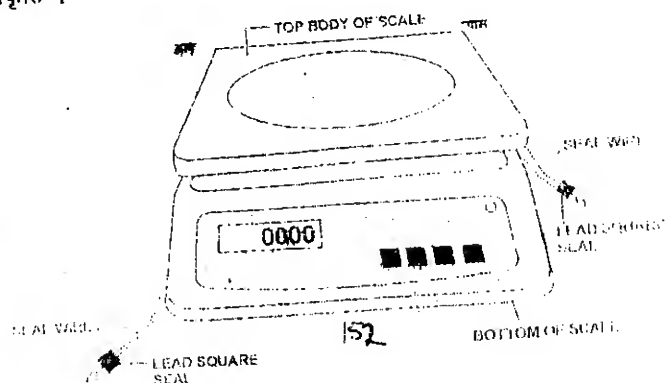
नई दिल्ली, 24 अक्टूबर, 2011

का.आ. 152.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उक्त प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेना प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा शक्तियों का प्रयोग करते हुए मैसर्स जे पी टेक्नोलोजी, ब्लॉक नं. 21/355 रघुवीर अपार्टमेंट, पंचदेव मंदिर के पास, अरबुदा नगर बस स्टॉप के पास, ओधव, अहमदाबाद द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग-III) वाले "जेपीटी-टीटी-3" शृंखला के अंकक सूचन सहित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) के मॉडल का, जिसके ब्राण्ड का नाम "श्री" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/11/401 समनुदेशित किया गया है, अनुमोदन प्रमाण-पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित अस्वचालित तोलन उपकरण (टेबल टॉप टाइप) है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्तन धारा विद्युत प्रदाय पर कार्य करता है।

आकृति-1



आकृति-2—मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम।

डिस्पले की बाड़ी में से सीलिंग वायर निकाल कर डिस्पले पर सीलिंग की जाती है। सील के साथ जुड़े हुए डिस्पले के बेस प्लेट और टॉप कवर में बने दो छेदों में से सीलिंग वायर लगाकर छेद से जोड़ा गया है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त चित्र में है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केन्द्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाण-पत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जो 100 मि.ग्रा. से 2 ग्रा. तक के "ई" मान के लिए 100 से 10,000 तक के रेंज में सत्यापन मापमान अंतराल (एन) और 5 ग्रा. या उससे अधिक के "ई" मान के लिए 500 से 10,000 तक की रेंज में सत्यापन मापमान अंतराल (एन) सहित 50 कि. ग्रा. तक की अधिकतम क्षमता वाले हैं और "ई" मान $1 \times 10^*$, $2 \times 10^*$, $5 \times 10^*$, के हैं, जो धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य हैं।

[फा. सं. डब्ल्यू एम-21(181)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 24th October, 2011

S.O. 152.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of Rule 8 and sub-rule (4) of Rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby publishes the certificate of approval of the model of non-automatic weighing instrument (Table top type) with digital indication of Medium Accuracy (Accuracy class- III) of series "JPT-TT-3" and with brand name "SHREE" (hereinafter referred to as the said model), manufactured by M/s. J. P. Technology, Block No. 21/355 Raghuvir Apartment, Near Panchdev Mandir, Near Arbuda Nagar Bus Stop, Odhav, Ahmedabad and which is assigned the approval mark IND/09/11/401;

The said model is a strain gauge type load cell based non-automatic weighing instrument (Table top type) with a maximum capacity of 30kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1

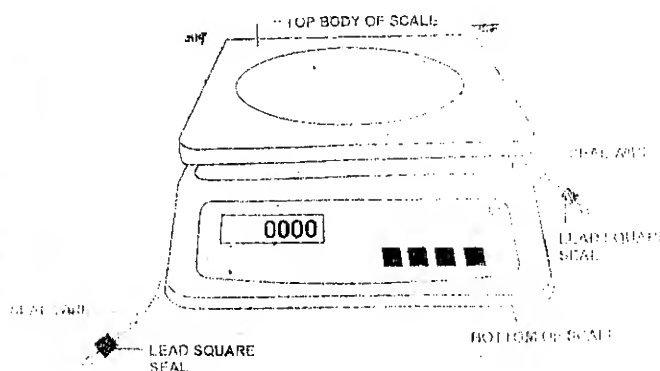
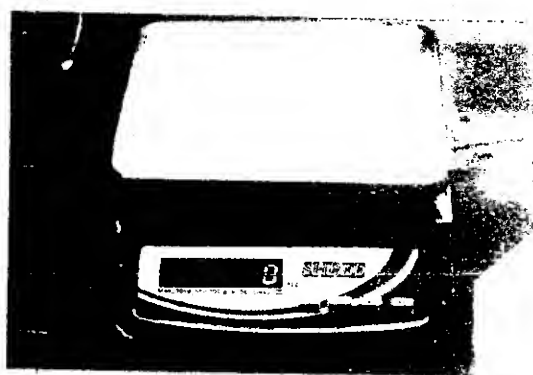


Figure-2— Schematic diagram of the sealing provision of the model

Sealing is done on the display by passing sealing wire from the body of the display. The seal is connected by whole in base plate and top cover of display, than seal wire is passed through these two holes attached with seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the powers conferred by sub-rule (9) of Rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. with verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of 1×10^k , 2×10^k or 5×10^k , where k is a positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved model has been manufactured.

[F. No.WM-21(181)/2011]

B. N. DIXIT, Director of Legal Metrology

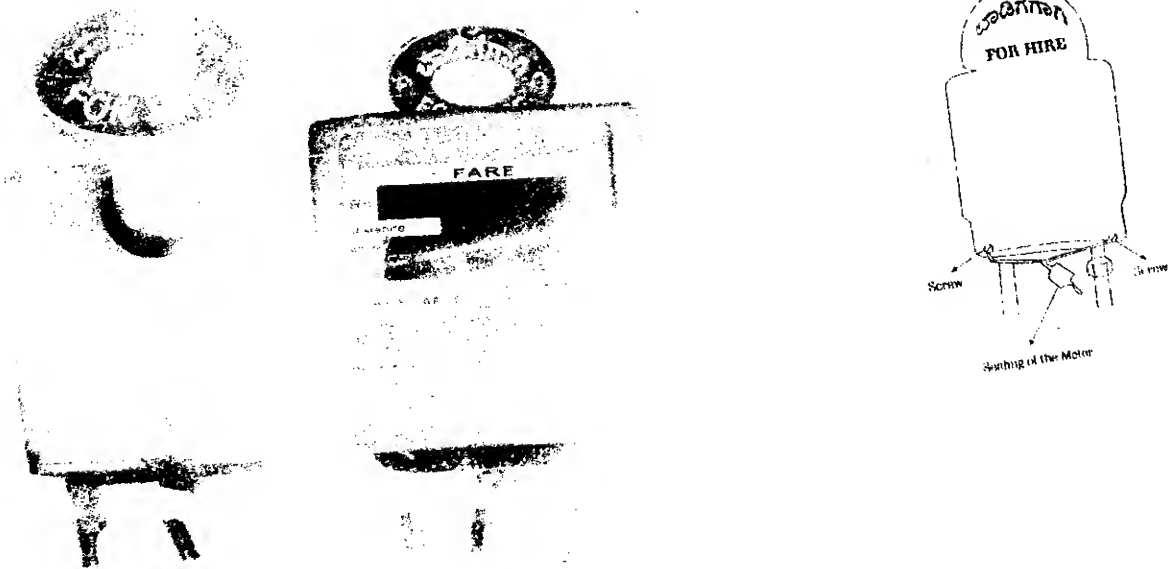
नई दिल्ली, 25 अक्टूबर, 2011

का.आ. 153.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केन्द्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स अफा एक्ज्यूटे टेक्नोलोजी, 13/52, ए वी रोड, प्रथम क्रॉस, कलसिपल्यम, बंगलौर-560002 द्वारा विनिर्मित "एफ-75" श्रृंखला के अंकक सूचन सहित "टैक्सी/आटो फेयर मीटर" के मॉडल का, जिसके ब्राण्ड का नाम "एफएफए" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/11/365 समनुदेशित किया गया है, अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल "टैक्सी/आटो फेयर मीटर" (फ्लेग टाइप) मापन उपकरण है—जो लगातार योग करता जाता है और यात्री द्वारा देय भाड़े को यात्रा के दौरान किसी भी समय दर्शाता है। सार्वजनिक वाहन के यात्रियों द्वारा देय भाड़ा, तय की गई दूरी और निर्धारित स्पीड से कम पर व्यतीत किए गए समय का फलन है जो प्राधिकृत शुल्क के अनुसार अनुपूरक भाड़े से स्वतंत्र है। मीटर की रीडिंग लिक्विड क्रिस्टल डायोड (एल सी डी) द्वारा दर्शायी जाती है। टैक्सी मीटर का 'के' फेक्टर 1350 प्लसेस प्रति किलोमीटर है। इंडीकेटर में अधिकतम किराया सूचन के लिए 5 अंक दो डेसीमल प्वाइंट सहित, कि.मी. में अधिकतम दूरी दर्शाने के लिए 5 अंक एक डेसीमल प्वाइंट सहित 5 अंक (3 अंक मिनट और 2 अंक सैकेंड के लिए) अधिकतम समय दर्शाने के लिए, और 6 अंक (2 अंक घंटे के लिए, 2 अंक मिनट के लिए और 2 अंक सैकेंड के लिए) रियल टाइप क्लॉक (आर टी सी) दर्शाने के लिए है।

आकृति -1



आकृति -2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्ट्याम्प और सोल के स्थापन के लिए, मीटर के पृष्ठ भाग में नीचे की तरफ होल्स के साथ दो छेद दिए गए हैं जिन में से लीडिड वायर निकाला गया है। सोल से छेड़छाड़ किए बिना मीटर को रंगेला नहीं जा सकता है। मॉडल को सीलिंग करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

[फा. सं. डब्ल्यू एम-21(215)/2011]

बी. एन. दीक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th October, 2011

S.O. 153.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of "Taxi/Auto Fare Meter" with digital indication (hereinafter referred to as the said model) of "AF-75" series and with brand name "AFFA" manufactured by M/s. Affa Accurate Technologies, 13/52, A. V. Road, 1st Cross, Kalasipalyam, Bangalore-560002 and which is assigned the approval mark IND/09/11/365:

The said model of "Taxi/Auto Fare Meter" (flag type) is a measuring instrument which totalizes continuously and indicates the fare at any moment of journey the charges payable by the passenger of a public vehicle as function of the distance travelled and below a certain speed, the fare is calculated as function of the time taken. This being independent of supplementary charges according to the authorized tariffs. The reading of the meter is indicated by the graphic liquid crystal display (LCD). The 'k' factor of the Taxi Meter is 1350 pulses per kilometer. The indicator have 5 digits with two decimal points for maximum fare indication, 5 digits with one decimal point in km. for maximum distance indication, 5 digits (3 digits for minute and 2 digits for second) for maximum time indication, and 6 digits (2 digits for hour, 2 digits for minutes, 2 digits for second) for real time clock (RTC) indication.

Figure-1 Model

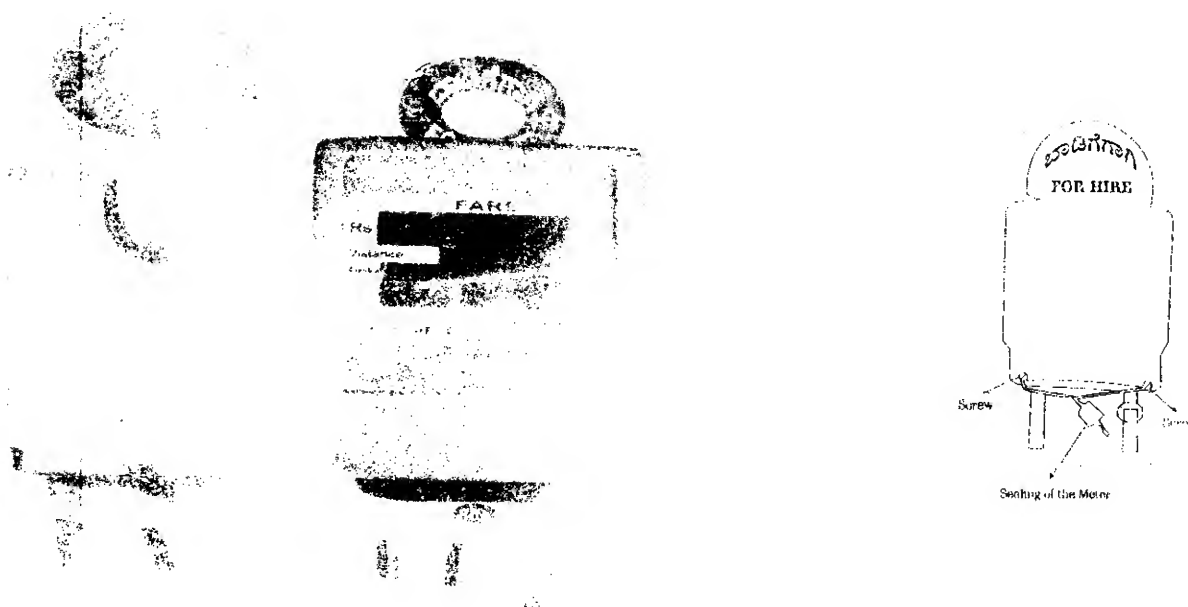


Figure-2 Schematic Diagram of seating provision of the model

Sealing is done on the rear bottom of the meter, two screws with holes are provided through which the landed wire will be passed to receive the verification seal and stamp. The meter cannot be opened without tampering the seal. A schematic diagram of the model is given above.

[F.No.WM-21(215)/2011]

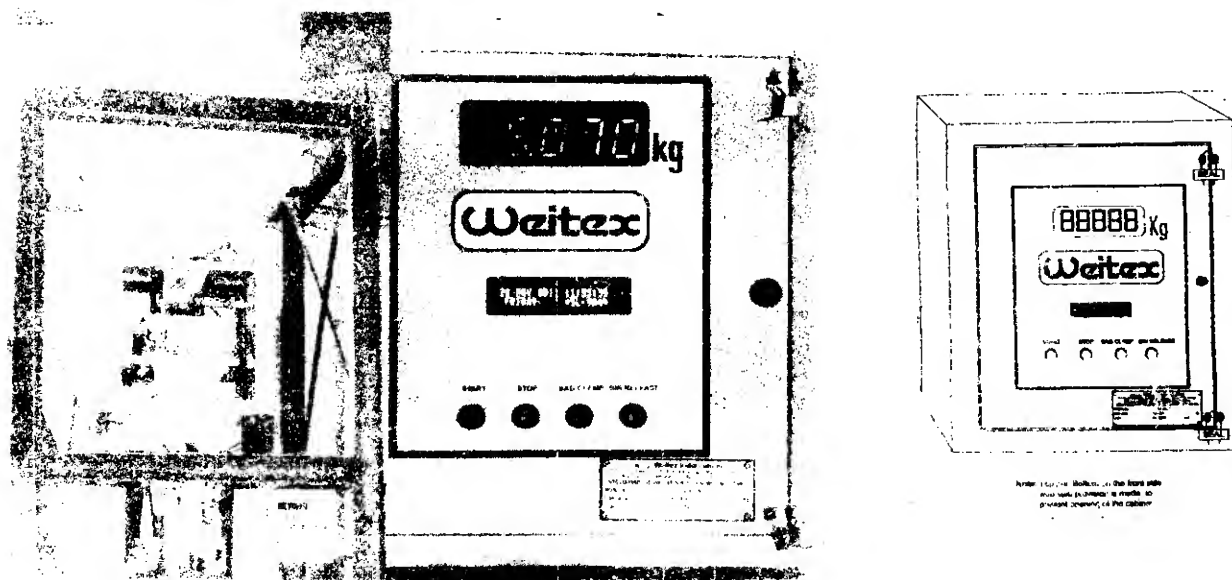
B. N. DIXIT, Director of Legal Metrology

नई दिल्ली, 25 अक्टूबर, 2011

का.आ. 154.—केंद्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) तथा विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः, अब, केंद्रीय सरकार, विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (6) और नियम 11 के उप-नियम (4) के साथ पठित विधिक माप विज्ञान अधिनियम, 2009 (2010 का 1) की धारा 22 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वीटेक्स इंडिया लिमिटेड, 1-4/1, चंगीचरेला बाडुप्पल मण्डल, घाटकेसर, आर.आर. डिस्ट-500092 द्वारा विनिर्मित यथार्थता वर्ग, X (x) का $x = 1$ वाले "डब्ल्यूआईएल-डब्ल्यूएफ" शृंखला के स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण के मॉडल का, जिसके ब्राण्ड का नाम "वीटेक्स" है, (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिस अनुमोदन चिह्न आई एन डी/09/11/363 समनुदेशित किया गया है अनुमोदन प्रमाण पत्र जारी करती है।

उक्त मॉडल एक विकृत गेज प्रकार का भार सेल आधारित स्वचालित ग्रेविमेट्रिक फिलिंग उपकरण है। इसकी अधिकतम क्षमता 50 कि. ग्रा. और 'डी' वेल्यू 5 ग्रा. के साथ उत्पाद की मात्रा और प्रकृति पर निर्भर करते हुए इसकी बारम्बारता 20 फिल्ल्स प्रति मिनट है। मशीन को सभी प्रकार के फ्री फ्लोइंग मेटिरियल जैसे कैमिकल्स, चीनी, सूअों, रवा आदि के भरने के लिए डिजाइन किया गया है। प्रकाश उत्सर्जक डिजाइन (एलईडी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



आकृति-2 मॉडल को सीलिंग करने का योजनाबद्ध डायग्राम

स्टाम्प और सील के स्थापन के लिए इंडीकेटर के रियर साइड में कवर और ब्रेकिट में दो बॉरेड स्कू करके, इन छेदों में से लीडिड गोलिंग वायर कसा जाता है। सील से छेड़छाड़ किए बिना इसे कपटपूर्ण व्यवहार के लिए प्रयोग नहीं किया जा सकता है। मॉडल को सीलबंद करने के उपबंध का एक प्ररूपी योजनाबद्ध डायग्राम उपरोक्त दिया गया है।

उपकरण में बाहरी केलिब्रेशन तक पहुंच की सुविधा है। बाहरी केलिब्रेशन तक पहुंच को रोकने के लिए ए/डी कार्ड/मदर बोर्ड में डिप स्विच भी दिया गया है।

और केंद्रीय सरकार विधिक माप विज्ञान (मॉडलों का अनुमोदन) नियम, 2011 के नियम 8 के उप-नियम (9) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि उक्त मॉडल के अनुमोदन के इस प्रमाणपत्र के अंतर्गत उसी विनिर्माता द्वारा उसी सिद्धांत, डिजाइन के अनुसार और उसी सामग्री से जिससे उक्त अनुमोदित मॉडल विनिर्माण किया गया है विनिर्मित उसी शृंखला के वैसे ही मेक, यथार्थता और कार्यपालन के तोलन उपकरण भी होंगे जिनकी क्षमता 50 कि.ग्रा. तक की होगी।

[फा. सं. डब्ल्यू एम-21(214)/2011]

बी. एन. दोक्षित, निदेशक, विधिक माप विज्ञान

New Delhi, the 25th October, 2011

S.O. 154.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Legal Metrology Act, 2009 (1 of 2010) and the Legal Metrology (Approval of Models) Rules, 2011 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Section 22 of the Legal Metrology Act, 2009 (1 of 2010) read with sub-rule (6) of rule 8 and sub-rule (4) of rule 11 of the Legal Metrology (Approval of Model) Rules, 2011, the Central Government hereby issues and publishes the certificate of approval of the model of automatic gravimetric filling instrument belonging to accuracy class X(x) where $x=1$ of series "WIL-WF" and with brand name "WEITEX" (hereinafter referred to as the said model), manufactured by M/s Weitex India Limited, 1-4/1, Chengicherla, Boduppal Mandal, Ghatkesar, R. R. Dist-500092 and which is assigned the approval mark IND/09/11/363;

The said model is a strain gauge type load cell based automatic gravimetric filling instrument. It has maximum capacity of 50 kg. and d value of 5 g. with a frequency of 10 fills per minute depending upon the quantity and nature of the product. The machine is designed for filling all types of free flowing materials like chemicals, sugar, suji, rawa etc. The Light Emitting Diode (LED) display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternative current power supply.

Figure-1 Model

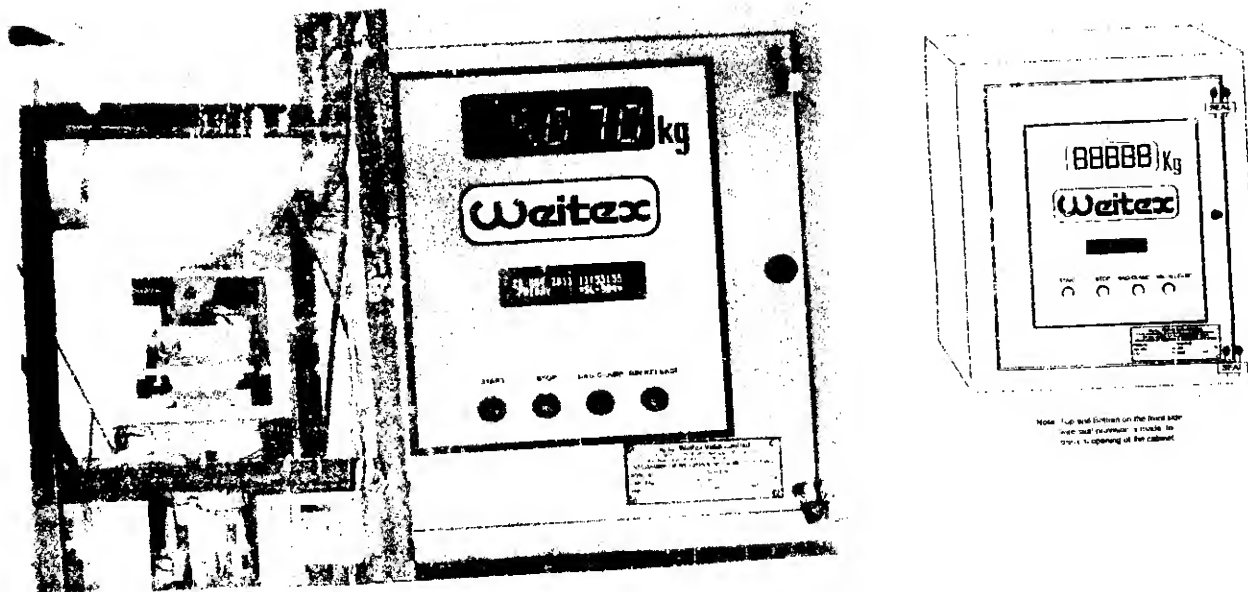


Figure-2 Sealing Diagram of the sealing provision of the model

On the rear side of the indicator, a leaded sealing wire is fastened through two bored screws, passing over the cover and bracket, for receiving the verification stamp and seal. The indicator can not be opened without tampering the seal. A typical schematic diagram of sealing provision of the model is given above.

The instrument has external control to calibration. A dip switch has also been provided in A/D card/mother board to disable access to external calibration.

Further, in exercise of the power conferred by sub-rule (9) of rule 8 of the Legal Metrology (Approval of Models) Rules, 2011, the Central Government hereby declares that this certificate of approval of the said model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the said approved Model has been manufactured.

[F.No.WM-21(214)/2011]

B. N. DIXIT, Director of Legal Metrology

(भारतीय मानक ब्यूरो)

नई दिल्ली, 30 दिसम्बर, 2011

क्र.आ. 155.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उप-नियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि अनुसूची में दिए गए मानक(कों) में संशोधन किया गया/किये गये हैं :-

अनुसूची

क्रम सं.	संशोधित भारतीय मानक(कों) की संख्या, वर्ष और शीर्षक	संशोधन की संख्या और तिथि	संशोधन लागू होने की तिथि
(1)	(2)	(3)	(4)
1.	आईएस 15103 : 2002 अग्नि प्रतिरोधक इस्पात - विशिष्ट	संशोधन संख्या 1 दिसम्बर 2011	31-12- 2011

इस संशोधन की प्रति भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलौर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

तिथि : 30-12-2011

[संदर्भ : एमटीडी 4/टी-207]

पी. घोष, वैज्ञानिक 'एफ' एवं प्रमुख (एमटीडी)

(BUREAU OF INDIAN STANDARDS)

New Delhi, the 30th December, 2011

S.O. 155.—In pursuance of clause (b) of sub-rule (1) of Rule 7 of the Bureau of Indian Standards Rules, 1987, the Bureau of Indian Standards hereby notifies that the amendment to Indian Standards, particulars of which are given in the Schedule hereto annexed have been established on the date indicated against each :

SCHEDULE

Sl.No.	No. and Title of the Standard(s)	No. and Year of the amendment	Date from which the amendment shall have effect
(1)	(2)	(3)	(4)
1.	IS 15103:2002 Fire Resistant Steel - Specification	Amendment No.1 December 2011	31-12-2011

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9 Bahadur Shah Zafar Marg, New Delhi- 110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

Date : 30-12-2011

[Ref: MTD4/T-207]

P. GHOSH, Scientist 'F' & Head (Met Engg.)

नई दिल्ली, 30 दिसम्बर, 2011

क्र.आ. 156.—भारतीय मानक ब्यूरो नियम, 1987 के नियम 7 के उपनियम (1) के खंड (ख) के अनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा अधिसूचित करता है कि जिन भारतीय मानकों के संशोधन विवरण नीचे अनुसूची में दिए गए हैं वे स्थापित हो गए हैं :-

अनुसूची

क्रम सं.	स्थापित भारतीय मानक के संशोधन की संख्या, वर्ष और शीर्षक	नये भारतीय मानक द्वारा अतिक्रमित भारतीय मानक अथवा मानकों, यदि कोई हो, की संख्या और वर्ष	स्थापित तिथि
(1)	(2)	(3)	(4)
1.	संशोधन संख्या 5- आईएस 14625:1999 प्लास्टिक की प्रभरण बोतलें	कुछ नहीं	31 दिसम्बर, 2011

इस भारतीय संशोधन की प्रतियाँ भारतीय मानक ब्यूरो, मानक भवन, 9, बहादुर शाह जफर मार्ग, नई दिल्ली-110002, क्षेत्रीय कार्यालयों: नई दिल्ली, कोलकाता, चण्डीगढ़, चेन्नई, मुम्बई तथा शाखा कार्यालयों: अहमदाबाद, बंगलूर, भोपाल, भुवनेश्वर, कोयम्बतूर, गुवाहाटी, हैदराबाद, जयपुर, कानपुर, नागपुर, पटना, पूणे तथा तिरुवनन्तापुरम में बिक्री हेतु उपलब्ध हैं।

तिथि : 30-12-2011

[संदर्भ : पीसीडी/जी-7(गजट)]

डा. (श्रीमती) विजय मलिक, वैज्ञानिक 'एफ' एवं प्रमुख (पीसीडी)

New Delhi, the 30th December, 2011

S.O. 156.—In pursuance of clause (b) of sub-rule (1) of Rules 7 of the Bureau of Indian Standards Rules 1987, the Bureau of Indian Standards hereby notifies that the amendment to Indian Standards, particulars of which is given in the Schedule hereto annexed have been established on the date indicated :—

SCHEDULE

Sl.No.	No. and Year and title of the Indian Standards Established	No. and Year of Indian Standard, if any, Superseded by the New Indian Standard	Date of Established
(1)	(2)	(3)	(4)
1.	Amendment No. 5 to IS 14625:1999 Plastics Feeding Bottles	None	31 December 2011

Copy of this amendment is available for sale with the Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi-110 002 and Regional Offices : New Delhi, Kolkata, Chandigarh, Chennai, Mumbai and also Branch Offices : Ahmedabad, Bangalore, Bhopal, Bhubaneswar, Coimbatore, Guwahati, Hyderabad, Jaipur, Kanpur, Nagpur, Patna, Pune and Thiruvananthapuram.

Date: 30-12-2011

[Ref:PCD/G-7(Gazette)]

Dr. (Mrs.) VIJAY MALIK, Scientist 'F' & Head (PCD)

नई दिल्ली, 2 जनवरी, 2012

क्र.आ. 157.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के विनियम 4 के उप-नियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

अनुसूची

क्रम संख्या	लाइसेंस संख्या	स्वीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम एवं पता	भारतीय मानक का शीर्षक	भा.मा.सं./भाग/खण्ड/वर्ष
1	2	3	4	5	6
1.	3781170	8-12-2011	उजाला स्विचेस एंड डिवायसेस प्रा. लि., 22, 30 योगी इण्डस्ट्रियल इस्टेट, राम मंदिर रोड, गोरेगांव पश्चिम, मुंबई-400104	250 वोल्टता और 16 एम्पीअर्स तक रेटित धारा के प्लग्स और सॉकेट आउटलेट्स	भा.मा.1293:2005
2.	3781271	8-12-2011	उजाला स्विचेस एंड डिवायसेस प्रा. लि., 22, 30 योगी इण्डस्ट्रियल इस्टेट, राम मंदिर रोड, गोरेगांव पश्चिम, मुंबई-400104	घरेलू और समान प्रयोजनों के लिए स्विचे	भा.मा.3854:1997
3.	3781776	9-12-2011	ज्वेल इन्टरप्रायजेस गाला नं 7, इरीडीअम इण्डस्ट्रियल इस्टेट, गेनेसीस इण्ड. टाउनशीप, विलेज कांडगांव, पालघर, थाने, पिन-401404	घरेलू और समान प्रयोजनों के लिए स्विचे	भा.मा.3854:1997

1	2	3	4	5	6
4.	3783073	15-12-2011	ज्वेल इन्टरप्रायजेस गाला नं 7, इरीडीअम इण्डस्ट्रियल इस्टेट, गेनेसीस इण्ड. टाउनशीप, विलेज कोईगाव, पालघर, थाने, पिन-401404	250 वोल्टता और 16 एम्पीअर्स तक रेटित धारा के प्लग्स और सॉकेट-	भा मा 1293: 2005
5.	3785582	28-12-2011	अलटीमा हाय टेक प्रा. लि., गाला नं. 9, लक्ष्मी इण्डस्ट्रियल इस्टेट, वालीव विलेज, सातीवली, वसई पूर्व, थाने, पिन-401208	250 वोल्टता और 16 एम्पीअर्स तक रेटित धारा के प्लग्स और सॉकेट-	भा मा 1293: 2005

[सं. के.प्र.वि./13:11]

एस. बी. राय, वैज्ञानिक 'एफ' एवं प्रमुख (एम डी एम-III)

New Delhi, the 2nd January, 2012

S.O. 157.—In pursuance of sub-regulation (5) of the Regulation 4 of the Bureau of Indian Standards (Certification) Regulation, 1988, of the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule :

SCHEDULE

Sl. No.	Licence No.	Grant Date	Name and Address (Factory) of the Party	Product	IS No./Part/Sec./Year
1.	3781170	8-12-2011	Ujala Switches & Devices Pvt. Ltd. 22, 30, Yogi Indl. Estate, Rammandir Road Goregaon West Mumbai-400104	Plugs and socket outlets of 250 volts and rated current to 16 amperes	IS 1293 : 2005
2.	3781271	8-12-2011	Ujala Switches & Devices Pvt. Ltd. 22, 30, Yogi Indl. Estate, Rammandir Road Goregaon West Mumbai-400104	Switches for domestic and similar Purposes	IS 3854 : 1997
3.	3781776	9-12-2011	Jewel Enterprises Gala No. 7, Iridium Ind. Estate, Genesis Ind. Township, Village Koeagaon, Palghar Thane, Pin-401404	Switches for domestic and similar Purposes	IS 3854 : 1997
4.	3783073	15-12-2011	Jewel Enterprises Gala No. 7, Iridium Ind. Estate, Genesis Ind. Township, Village Koeagaon, Palghar Thane, Pin-401404	Plugs and socket outlets of 250 volts and rated current to 16 amperes	IS 1293 : 2005
5.	3785582	28-12-2011	Altima Hi Tech Pvt. Ltd. Gala No. 9, Laxmi Ind. Estate, Waliv Village, Sativali, Vasai East, Dist -Thane, Pin-401208	Plugs and socket outlets of 250 volts and rated current to 16 amperes	IS 1293 : 2005

[No. CMD/13:11]

S. B. ROY, Scientist 'F' & Head (MDM-III)

श्रम एवं रोजगार मंत्रालय

नई दिल्ली, 25 नवम्बर, 2011

का.आ. 158.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, धनबाद के पंचाट (संदर्भ संख्या 178/2001) को प्रकाशित करती है जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[फा. सं. एल-12012/26/2001-आई आर(बी-11)]

शीश राम, अनुभाग अधिकारी

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 25th November, 2011

S.O. 158.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 178/2001) of the Central Government Industrial Tribunal/Labour Court-2, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of India and their workmen, which was received by the Central Government of 21-11-2011.

[F. No. L-12012/26/2001-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD****PRESENT**

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947.

Reference No. 178 of 2001**PARTIES:** Employers in relation to the management of Bank of India and their workmen.**APPEARANCES:**

On behalf of the workman : Mr. D. Mukherjee, Advocate.

On behalf of the employers : Mr. D. K. Verma, Advocate.

State : Jharkhand Industry : Banking

Dhanbad, Dated, the 3rd November, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12012/26/2001-IR(B-II) dated 15/18-06-2001.

SCHEDULE

"Whether the action of the management of Bank of India, Zonal Manager, Patna in terminating the services of Shri Ajay Kumar on 2-7-1999 was justified? If not, what relief the workman is entitled to?"

2. The case of the petitioner Ajay Kumar is that he had continuously worked as permanent Sub-Staff from August, 1989 to 21st June, 1992 against permanent vacancy in the B.C.P. Mary Branch and thereafter from 22-6-1992 to Nov. 1999 at Gaya Regional Office, Gaya, since its opening as per direction of the Management. During the period, he also attended outdoor duties and received travelling expenses duly sanctioned by the Competent Authority. A public Sector Undertaking not only believes in the theory of Hire and Fire but the Management thinks that the workman are denizens of an Animal Farm to be eliminated ruthlessly the moment they became useless to the establishment. The theory is disapprovable. The Management not only exploited the poor workman by not paying him proper wages but also by not maintaining proper records regarding his engagement; as the workman was paid through different paper arrangement even in different names. As soon as the workman started to demand for his proper wage and other benefits, the management terminated his service by stopping him from duty without any reason and compliance of the mandatory provision of law. Though he challenged it before the ALC(C) concerned and disapproved the Management's plea of non relationship of employer and employee yet its conciliation proceeding failed due to the adamant attitude of the Management; hence the reference for adjudication. The action of the Management of Bank of India in terminating his service since 2-7-99 was illegal, vindictive, and anti-labour policy.

The petitioner in his rejoinder specifically denying the allegation of the Management has further pleaded that the Bank has no legal right to exploit a workman under Art. 14 and 16 of the Constitution.

3. On the other hand, the pleaded case of the Management is that the disputant (petitioner) Ajay Kumar was never appointed as a subordinate staff in the Bank as a Public Undertaking is a State as meant under Art. 12 of the Constitution of India, so the Bank cannot appoint any person in contravention of Art. 14 and 16 of the Constitution of India as well as the Rules of the Bank for appointment of Sub-Staff. No employer and employee relationship exists between the Management and him, as he is not a workman in the terms of Sec. 2s of the Industrial Disputes Act, 1947 just as the present issue is not an Industrial Dispute under Sec. K of the Act. The Act permits interference with the limited class of its employees, who are workman as defined in it. Non-engagement of a coolie does not amount to discharge/dismissal/retrenchment/

termination. The petitioner might have been engaged by the Bank as a coolie or labourer to perform specified job on a particular day. But he has never been engaged by the Bank continuously for 240 days in any calendar year against any permanent vacancy. Since he was never in the employment of the Bank, no question of his termination from his service arises.

In its rejoinder with its categorical denials to the allegations of the petition, the Management has further pleaded that whenever he was engaged as a coolie, he was paid travelling expenses. He as a job seeker is trying to enter into the employment of the Bank through litigation. The question of payment of wages according to the scale of the Bank does not arise in the face of his non-engagement as staff by the Bank just as that of termination in case of his never appointment as an employee of the Bank.

FINDING WITH REASONING

4. In this case, only WW-1 Ajay Kumar, the petitioner in behalf of himself, has been examined, but the evidence of the Management due to its failure in production of its witnesses despite ample opportunity given for it resulted in the closure of the Management as per Order dt. 1-6-2011 of the Tribunal. Hence it came up for hearing argument.

5. After the perusal of the case record, I find the statement of WW-1 Ajay Kumar, the workman himself is that he was appointed to the post of Peon by the Branch Manager of the Bank of India, Birchand Patel Marg, Patna in the year 1989 and he worked in that capacity upto 21-6-92; thereafter on his transfer to Gaya Regional Office, he also worked there from 22-6-92 to November, 1999 continuously by putting his attendance for more than 240 days in a year. Further he has stated that the Management used to pay his wages through vouchers, that the Management used to pay him the wages for Holidays and Sundays, but the Management never paid him the wages equal to that of a permanent staff, for which on his representation the Management stopped him from working without any chargesheet or any reason. The workman has denied to have occasionally discharged his duty as a coolie. The photo copy of the certificate dt. 16th July, 1997 issued to him by the Joint Zonal Manager marked as Ext. W-1 (after objection) and the photo copies of the vouchers for the payment of wages to the workman marked as Ext. W-2 series. But the workman (WW-1) in his cross-examination has admitted not to have got any appointment letter from the Management/Branch Manager concerned to serve as a Peon in the year 1989. Though he claims to have received the order of his transfer to the Regional Office Gaya, but instead of producing it his plea that the same is lying with the office file of the Management appears to be absurd. He has denied the payment of charges of conveyance as well as the wages to him whenever he was sent to any place to discharge his duty as coolie, his not

continuous attendance for more than 240 days in each year and the aforesaid alleged certificate as manufactured one. He has also admitted that the Joint Zonal Manager issuing the aforesaid Certificate (Ext. W-1) was not posted at Gaya, and that he had prepared this appears (vouchers-Ext. W-2 series) in his own hand writing.

6. Mr. D. Mukherjee, the Ld. Senior Counsel for the Union submits that admittedly the workman worked as a coolie as stated in para-8 and 11 of the W.S. of the Management and in view of the Certificate dt. 16-7-97 (Ext. W-1) (after objection) and payment of sanction orders (Vouchers- Ext. W-2 series) as well as non-production of the original documents of the vouchers called for through the petition dt. 8-7-2003 in behalf of the workman, it goes to prove the statement of workman as a proof of his claim. Two authorities namely, 2006 (105) FLR1067 (SC) (CB), Manager, RBI, Bangalore- versus-S. Mani as held therein that pleadings are no substitute of proof; and AIR 1982 (ALL) 385 (DB), National Inse. Cov. Ltd., Kanpur- versus-Yogendra Nath as held therein that the averments contained in the Written Statement cannot take the place of proof unless evidence is produced by the adverse party- relied upon by the aforesaid Senior Counsel for the workman. In response to the aforesaid argument, Mr. D.K. Verma, the Ld. Advocate for the management has contended that it is the admission of the workman himself as stated in para-5 of the W.S. that he was paid through different paper arrangements and even in different names, the same itself proves that the workman was never appointment by the Management as a Peon and moreover, he has failed to prove his continuous working for 240 days in any year, as such his claim for regularisation is unsustainable in the eye of law.

7. On the scrutiny of the materials available on the case record, I find even the alleged certificate dt. 16th July, 1997 (Ext. W-1 after objection) alleged to have been issued by the Joint Zonal Manager concerned about his working from May, 1993 to September, 1994 during the tenure of the later does not specify in whose capacity he worked, though such certificate cannot be the base nor can provide any entitlement to the workman for his claim. It is also evident from the vouchers prepared by the workman (Ext. W-2 series) which prove the payment of expenses over travelling from Gaya to Patna, and to other places as assigned and passed by the Management for the work concerned. In case of non-production of the documents as called for by the petition dt. 18-6-04 of the workman, namely, the Certificate dt. 16-7-97 and the payment sanctioned order as per Annexure-W, the workman ought to have established the relevant documents as secondary evidence before the Tribunal, but unfortunately the workman has failed to establish it, moreover, none of the documents has proved the claim of the workman for working as a Peon continuously for more than 240 days in a calendar year.

8. Under these circumstances, I find that since the workman casually worked for few days in a year so there was no relationship of employer and employee between the alleged workman and the management. Hence, no question as to that of the management of Bank of India Zonal Manager, Patna, in terminating the service of Shri Ajay Kumar on 2-7-1999 whether justified or unjustified arises. Therefore the alleged workman is not entitled to any relief, in the eye of law.

KISHORI RAM, Presiding Officer

नई दिल्ली, 25 नवम्बर, 2011

का.आ. 159.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सेन्ट्रल बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 52/2007) को प्रकाशित करती है जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-12011/3/2007-आई आर(बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 25th November, 2011

S.O. 159.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (Ref. No. 52/2007) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Bank of India and their workmen, which was received by the Central Government on 21-11-2011.

[No. L-12011/3/2007-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 22nd September, 2011

PRESENT : A. N. JANARDANAN, Presiding Officer

INDUSTRIAL DISPUTE No. 52/2007

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of Central Bank of India and their Workmen.]

BETWEEN

The General Secretary : 1st Party/Petitioner Union
Central Bank of India
Employess Union
11, 2nd Line Beach,
Chennai-600001

Vs.

The Regional Manager : 2nd Party/Management
Central Bank of India
Regional Office, 48/49,
Montieth Road, Egmore
Chennai-600008

APPEARANCES :

For the 1st Party/Petitioner : M/s. K. M. Ramesh,
Union Advocates

For the 2nd Party/Management : M/s. T. S. Gopalan &
Co. Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12011/3/2007-IR (B-II) dated 7-9-2007 and Corrigendum dated 11-9-2009 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

“Whether the demand for regularizing the services of Sri P. Balakrishnan, Part-Time Safai Karamchari as full-time Safai Karamchari is justified? If not, to what relief Sri P. Balakrishnan is entitled?”

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as 52/2007 and issued notices to both sides. Both sides entered appearance through their respective counsel and filed their Claim, Counter Statement as the case may be.

3. The averments in the Claim Statement briefly read as follows:

From the concerned employee, a Part-Time Safai Karamachari (PTSK) with half wages, was extracted work of full time Sub-Staff from 21-09-1996 to 30-10-1999 in the place of a permanent Sub-Staff. Thus he was required to work for more than 40 hours per week which is normal working hours of a full-time Sub-Staff. He was then paid full-time Sub-Staff wages also. Stipulated working hours for half scale wages is 19 hours per week. There is a policy to fill up 25% of vacancies in the Sub-Staff cadre from among part-time sweepers apart from recruiting fresh candidates through Employment Exchange after an interview in respect of other 75% vacancies. Instead of resorting to any of the modes of recruitment for filling-up vacancies of Sub-Staff cadre the workman was made to work the duty of Sub-Staff for over 3 years. The employee was also asked to perform additional duty of Daftary drawing Special Pay, which a Part-Time Sweeper cannot be asked to perform. His engagement is against a clear permanent vacancy and not on supernumery post. His representation for absorption as Full-Time Sub-Staff member was not favoured. He was never informed that he has to do the work temporarily. After over 3 years the place of Sub-Staff was filled with fresh hand denying his

claim. There are vacancies and therefore there is no difficulty for his absorption. ID raised having ended in a failure report the reference is occasioned. The mistakes in the reference in his initial as "K" instead of "P" and as Full-Time Safai Karamachari instead of as "Full-Time Sub-Staff" have been sought to be corrected under a corrigendum. Hence the claim.

4. Counter Statement averments briefly read as follows :

In recruitment the Respondent has to adhere to the guidelines of the Government including reservation policy. There is no provision for any Part-Time Safai Karamachari to be automatically elevated to the position of Sub-Staff. Even PTSK's drawing the scale of pay of Sub-Staff are not Sub-Staff because their nature of work is different. By merely performing the work of Full-Time Sub-Staff one will not get any right to claim the post of Full-Time Sub-Staff. When a vacancy of PTSK in a branch carrying 1/3rd, 1/2 or 3/4 wages or full-scale wages as applicable to Permanent Sub-Staff arises then the PTSKs of the lower scale can apply for the post among whom the senior most will be considered. All eligible candidates including PTSKs can participate in the selection process for the post of Sub-Staff or Clerical post and successful candidates would be appointed. The concerned employee did not participate in the selection process. In the one selection process he participated he was not successful. Hence his demand is not justified. With the engagement as Full-Time Sub-Staff for the period from 26-09-1996 to 26-10-1999 at which date only one Sub-Staff (regular) was appointment he cannot claim regularization as Full-Time Sub-Staff or in full-scale wages as PTSK. The claim is to be rejected.

5. Points for consideration (as per amended Corrigendum dated 11-09-2009) are as follows :

- (i) Whether the demand for regularizing Sri P. Balakrishnan, Part-Time Safai Karamachari as Full-Time Safai Karamachari is legal and justified?
- (ii) To what relied the concerned workman is entitled ?

6. The evidence consists of oral evidence of WW1 and Ex. W1 to Ex. W16 (subject to objection regarding Ex. W5, Ex. W7, Ex. W12, & Ex. W13, that the witness is not the author of those documents) on the petitioner's side and Ex. M1 to Ex. M18# on the Respondent's side with no oral evidence adduced.

Points (i) & (ii)

7. Heard both sides. Perused the records and documents. As is evident from Ex. M18—Joining Report dated 18-04-2011 the workman joined duty as Safai Karamachari -cum-Sub-Staff in full-time on 18-04-2011 at Kadamalaiputhur branch. He could command this as per

Ex. M17—Office Order dated 15-04-2011 of the Regional Office of Central Bank of India, Chennai under which the Board of Directors of the Bank on 22-01-2011 approved for elevation of all existing permanent Part-Time Safai Karamacharis drawing scale wages as Safai Karamachari-cum-Sub-Staff in full time as a one time dispensation. Now with this elevation the demand of the workman for regularization as Full-Time Safai Karamachari has been virtually acceded to by the Management though only prospectively from 18-04-2011. But the same is not reply to the reference in which the antiquity of his claim for regularization dates back to much an anterior date.

8. The workman is an employee who happened to be engaged temporarily, though not so made known to him as per his version, as a Sub-Staff in a regular vacancy due to the vacancy having not been filled up for a good period say above 3 years as in the present case. During the period he was being given the wages payable to the Sub-Staff. That cannot per se entitle the workman for regularization as a Sub-Staff, which could only be done on the basis of seniority as well as on his emerging successful in a selection process and interview in which he failed on the occasion on which he attended the process and thereafter without appearing again to undergo the selection process against the 25% vacancy earmarked for recruitment from Part-Time Staff keeping open the remaining 75% for recruitment in accordance with the rules and guidelines laid down for the same. Hence the workman is not at all entitled to regularization as Sub-Staff consistent with recruitment rules, norms and procedures. Now with Ex. M17—Office Order he stands to gain and he has been elevated to a Full-Time post as a one-time measure and the benefit of Full-Time service enures to him with Full-Time wages. By this all existing Permanent Part-Time Safai Karamacharis stand to gain with the conversion as Safai Karamachari-cum-Sub-Staff in Full-Time in a one-time measure. This order is anticipating avoidance of any mischief, absurdity or awkwardness in the matter of treatment of workman standing on the same or similar footing and is advantageous to all them affecting nobody's interest, seniority or service conditions, inter se. On the contrary, the claim of the workman, if allowed, would result in transgression of all or any of the above rights of his counterpart workmen not similarly situated in terms of seniority and allied matters like him. Recognized rules or norms or procedure cannot permit elevation of the workman in disregard of the rightful claims, qualifications, etc. of other workman who have a better claim than him. In no view of the matter the workman's demand for regularization could be held as justified. Therefore he is not entitled to the claim of regularization as demanded other than the boon of a regularization now has ensured to him as per the magnanimous decision of the Board of Directors of the Bank as expressed and implemented under Ex. M17—Office Order dated 15-04-2011.

9. The reference is answered accordingly. (Dictated to the PA transcribed and typed by him, corrected and pronounced by me in the open court on this day the 22nd September, 2011).

A. N. JANARDANAN, Presiding Officer

Witnesses Examined :

For the 1st Party/Petitioner : WW1, Sri D.B. Gopinath Union

For the 2nd Party/Management : None

**Documents Marked :—
On the petitioner's side**

Ex. No.	Date	Description
Ex. W1	03-02-1993	Appreciation letter issued by the Respondent/Bank to the concerned workman for participation in the team for bringing the balancing of books position of Kadamalaiputhur Branch.
Ex. W2	04-03-1993	Appreciation letter issued by the Respondent/Bank to the concerned workman for participation in tallying the books trailing too far behind of Kadamalaiputhur Branch.
Ex. W3	27-08-1996	Appreciation letter issued by the Respondent/Bank Management to the concerned workman for mobilizing deposit to the Bank.
Ex. W4	01-07-1998	Letter of Asstt. Regional Manager of Respondent/Bank to the Kadamalaiputhur Branch for payment of difference in wages for the services extracted as Peon.
Ex. W5	25-07-1998	Letter of Asstt. Regional Manager of Respondent/Bank to the Kadamalaiputhur Branch for payment of difference in wages for the services extracted as Peon.
Ex. W6	29-03-2000	Letter of Petitioner Union to the Regional Manager, Chennai of the Respondent Bank.
Ex. W7	07-11-2000	Letter of Asstt. Regional Manager of Respondent/Bank to the Kadamalaiputhur Branch regarding payment of difference of wages for the services extracted as Peon.

Ex. W8	04-12-2000	Representation of the concerned workman in the ID to the Respondent/Bank.
Ex. W9	18-07-2000	Appreciation letter issued by the Respondent/Bank to the concerned workman for mobilizing deposit to the Bank.
Ex. W10	08-12-2000	Letter from Petitioner Union to the Regional Manager of Respondent/Bank.
Ex. W11	14-07-2001	Letter from Petitioner Union to the Regional Manager of Respondent/Bank.
Ex. W12	24-03-2004	Letter from Asstt. Regional Manager of Respondent/Bank to Kadamalaiputhur Branch.
Ex. W13	22-04-2004	Letter from Kadamalaiputhur Branch to the Regional Office, Chennai of the Respondent/Bank.
Ex. W14	27-07-2005	Letter from Asstt. General Manager, Regional Office, Chennai of Respondent/Bank to Assistant Commissioner of Labour (Central).
Ex. W15	10-08-2005	Reply filed by the Petitioner Union before Assistant Commissioner of Labour (Central).
Ex. W16	17-11-2007	Letter from Petitioner Union to the Ministry of Labour Government of India, New Delhi reg. amendment of terms of reference.

On the Respondent's side:—

Ex. No.	Date	Description
Ex. M1	14-05-1991	Bank Circular on payment of wages to Part-Time Safai Karamachari.
Ex. M2	29-10-1991	Probationary Appointment order issued to Petitioner.
Ex. M3	05-07-1994	Enhancement of Wage Scale of Petitioner w.e.f. 10-06-1992.
Ex. M4	14-07-1984	Circular of the Bank on recruitment of subordinate staff from Employment Exchange.
Ex. M5	23-09-1996	Promotion letter issued to Mr. K. K. Khader.

Ex. M6	01-07-1996	Circular providing for differential wages if petitioner was asked to work as a Peon.
Ex. M7	16-02-1999	Application calling for promotion of subordinate cadre to Clerical Cadre.
Ex. M8	26-10-1999	Order appointing Mr. Vijay Kumar as Subordinate Staff.
Ex. M9	15-12-1999	Call letter to Mr. V. Vadivel.
Ex. M10	13-01-2000	Letter communication to Mr. A. Vadivel—Selection as Peon.
Ex. M11	12-01-2001	Minutes of Meeting with the Union.
Ex. M12	22-02-2002	Call letter to the petitioner for written test.
Ex. M13	27-07-2005	Letter submitted by Respondent to Assistant Commissioner of Labour (Central).
Ex. M14	10-08-2005	Reply submitted by Respondent to Assistant Commissioner of Labour (Central).
Ex. M15	10-04-2006	Reply submitted by Respondent to Assistant Commissioner of Labour (Central).
Ex. M16	15-04-2011	Office Order issued by the Respondent to P. Balakrishnan (PTSK)—concerned workman in this dispute—(Ref.R.O./HRD/2011-12/051).
Ex. M17	15-04-2011	Letter from Regional Office of Respondent/Bank to Kadamalaiputhur Branch—regarding P. Balakrishnan.
Ex. M18	18-04-2011	Joining Report of P. Balakrishnan.

नई दिल्ली, 15 दिसम्बर, 2011

का.आ. 160.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ई.सी.सल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रमन्यायालय, धनबाद-2, के पंचाट (संदर्भ संख्या 11/2008) को प्रकाशित करती है जो केन्द्रीय सरकार को 15-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/1/2008-आई आर (सी-1)]
डॉ. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 15th December, 2011

S.O. 160.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 11/2008)

of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad as shown in Annexure in the Industrial Dispute between the employers in relation to the management of M/s. ECL, and their workman, which was received by the Central Government on 15-12-2011.

[No. L-20012/1/2008-IR(C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT:

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I. D. Act, 1947

Reference No. 11 of 2008

PARTIES: Employers in relation to the management of
Mugma Area of M/s. ECL and their workman.

APPEARANCES:

On behalf of the workman : None
On behalf of the employers : Mr. D. K. Verma,
Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 30th November, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L- 20012/1/2008-IR(CM-I) dated, the 21st January, 2008.

SCHEDULE

“Whether the demand of the Bihar Colliery Kamgar Union from the Management of Hariajam Colliery of M/s. ECL to give Shri Mahabir Roy Timber Mazdoor Cat. V. under SLU from 12-5-96 and Cat-VI under SLU from 12-5-2004 is justified? If so, to what relief is the concerned workman entitled and from what date?”

2. None represented the Union/workman nor W.S. filed on behalf of the Union, but Mr. D. K. Verma, the Ld. Advocate for the management is present.

3. Perusal of the case record transpires it is pending abinitio for appearance and filing of the W.S. in behalf of the Union/workman, for which registered notices dt. 9-6-08, 18-1-11, dt. 11-5-11, and lastly show cause registered notices dt. 1-7-2011 were issued to the Secretary of the Union on its address as noted in the reference, yet despite the last change, no Written Statement has been filed on behalf of the Union. The present reference as per

the schedule refers to the demand of the Union concerned for giving workman Mahabir Roy, Timber Mazdoor of Cat.V under S.L.U. from 12-5-96 and Cat.VI under the same from 12-5-2004. In view of the aforesaid conduct of the Union workman, it prima facie shows the disinterestedness of the Union as well as the workman in persuing the case for adjudication.

3. Therefore, proceeding with the case for uncertainty is futile as well as wastage of time and energy of the Tribunal. Hence, the case is closed for the reason disinterestedness of the Union concerned in persuing it, and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2011

का.आ. 161.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं.-2, के पंचाट (संदर्भ संख्या 227/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 15-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/415/1998-आई आर (सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 15th December, 2011

S.O. 161.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 227/1999) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 15-12-2011.

[No. L-20012/415/1998-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1)(d) of the I.D. Act, 1947

Reference No. 227 of 1999

PARTIES: Employers in relation to the management of
Block II Area of M/s. BCCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. D. K. Verma,
Advocate

State : Jharkhand Industry : Coal

Dhanbad, Dated, the 30th November, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/415/1998-C-I dated 21-4-1999.

SCHEDULE

“Whether the action of the management of M/s. BCCL in not correcting the date of birth of Sh. Ram Swaroop Beldar, Driver as 1-5-1947 is justified? If not, to what relief the concerned workman is entitled to?”

2. The case of the Representative Union for the workman is that initially appointed as Wagon Loader on 18-11-1972 posted at Benidih Colliery, the workman Ram Swaroop Beldar was a Permanent employee of Block II M/s. BCCL. He had declared his date of birth as 1-5-1947 at the time of his employment at Benidih Colliery, wherefrom thereafter he was transferred to Block II Area as Khalasi in the year 1983, thereafter posted as Driver in Dec., 1984 at Adm. Depot. Regional Office Block II Area M/s. BCCL, since then he had been performing the assigned job of a Driver with unblemished career. The Service Excerpt in the year 1987 furnished to him transpired his date of birth was wrongly mentioned as 31-1-1938 instead of 1-5-1947, the workman respectfully submitted several representations to the Management for the correction of his date of birth wrongly written by the Management, and that he was 40 years as on 6-8-87. But no effect, and lastly a letter of retirement Ref. No. GM/ED/RETD/1562, dt. 16-11-97 was issued. On raising the Industrial Dispute for it, during the pendency of its conciliation proceeding, he was wrongly and arbitrarily retired by the Management w.e.f. 31-1-1998 forcibly against the principle of natural justice, and against the Instruction No. 37 of J.B.B.C. which provides for the review and correction of wrong date of birth of existing employees of M/s. BCCL in case of Non-Matriculate but educated, the School Leaving Certificate concerning date of birth shall be treated as correct date of birth, and in case of illiterate person, his birth date/age will be assessed by the Medical Board. So the action of the management in not correcting the date of birth of workman Ram Swaroop Beldar, Driver, as 1-5-1947 is not justified, and the workman is entitled to the review and determination of his birth date on basis of the School Leaving Certificate or its determination by the Apex Medical Board.

Categorically denying the allegations of the Management in its written statement it has been pleaded

in a rejoinder on behalf of the workman that his birth date as on 18-11-72 at the time of his appointment was truly recorded as 25 years in the Form 'B' Register.

3. Whereas the management has pleaded in its written statement that the workman concerned was appointed as Driver on 18-11-72, and at the time of his appointment, was 35 years as on 31-1-73 as recorded in Form B Register, the Statutory Register maintained under the Mines Act, and he had put his signature on it as his acceptance of the entries made therein. In the year 1987, his date of birth was recorded as 31-1-38 in the Service Excerpt, on the receipt of which he had objected it but without any proof or documentary evidence, so his objection to it was rejected. On the basis of his aforesaid date of birth, he has been retired from service w.e.f. 31-1-98, after giving six months prior notice of it. Therefore, the action of the management in the terms of the reference justified and the workman is not entitled to any relief.

FINDING WITH REASONING

4. In the instant case after perusal of the case record, I find that despite the ample opportunity since 8-6-04 uptill 15-6-2005, no evidence for the workman was produced in support of the claim of the workman concerning date of birth. Hence, the evidence of the workman was closed on the aforesaid later date, but one MW-1 Gopal Prasad has been examined in behalf of the management. The statement of Mr. Gopal Prasad (MW-1) as the Area Personnel Manager is that the workman concerned was initially appointed at Benedih Section of Block No. II Area and after joining on 18-11-1972 he become a driver in 1988 as per his Form B Register bearing his Sl. No. 1412, the date of commencement of his employment and that of the first appointment of the workman with the present owner under its Col. 9910 under his LTI respectively (Ext. M-3), so his age 35 years came to be counted. On the transfer of the workman from Benedih Section to Block II Area Office, there itself again Form B Register (Ex. M-3/1) was prepared by the aforesaid Unit which bears the name of workman Ram Swaroop Beldar and his passport size black and white photo followed by the signature of the workman as well as that of the record keeper and that of the Manager concerned, according to which his age was determined as 35 years old as on 31-1-73 according to which he was superannuated on the completion of his 60 years of age, but the workman during the tenure of his service never filed any document to prove his D.O.B. (date of birth) different from the aforesaid D.O.B. So his retirement was quite proper and accordingly the claim of the workman was not justified. The witness also responded to the query that he is unaware of on what basis the workman is claiming for 1-5-1947 as the date of his birth. The aforesaid management witness was discharged due to non-appearance or representation of the Union for his cross-examination despite ample opportunity for it.

5. In view of the aforesaid statement of the management, I find and hold that the action of the management of M/s. BCCL in not correcting the date of birth of Shri Ram Swaroop Beldar as 1-5-1947 is quite justified in the eye of law and the fact as well.

KISHORI RAM, Presiding Officer

नई दिल्ली, 15 दिसम्बर, 2011

का.आ. 162.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं.-2, के पंचाट (संदर्भ संख्या 31/97) को प्रकाशित करती है जो केन्द्रीय सरकार को 15-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/11/1996-आई आर(सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 15th December, 2011

S.O. 162.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 31/1997) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 15-12-2011.

[No. L-20012/11/1996-IR(C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1) (d) of the I.D. Act, 1947

Reference No. 31 of 1997

PARTIES: Employers in relation to the management of
Katras Area of M/s. BCCL and their workman

APPEARANCES:

On behalf of the workman : Mr. B.B. Pandey,
Advocate

On behalf of the employers : Mr. D. K. Verma,
Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 30th November, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/11/96-IR(C-I) dated, the 5th March, 1997.

SCHEDULE

“Whether the action of the management of Katras Project of M/s. BCCL in denying employment to Smt. Sugia Bhuini the dependent wife of Late Kedar Bhuia, Ex-Miner/Loader who expired on 8-1-1992 is justified? If not, to what relief is the dependent wife entitled?”

2. The case of the sponsoring Union concerned is that petitioner Smt. Sugia Bhuini is the dependent wife of late Kedar Bhuia, Ex-Miner/Loader, who Bhuia was an employee of Katras Project under the then Katras Project Area, present under Katras Area, and was working as Miner Loader. He expired on 08-01-92 while he was on the colliery roll. As per provision under clause 9-4-2 of NCWA-IV in operation, the dependent wife Sugia Bhuini had submitted all the relevant paper to the Management on 9-3-92 for her employment. It was scrutinised and found correct in all respect. It was sent to Area where the Personnel Manager and the General Manager of the Area after being satisfied with her claim and papers in order put their signatures, and sent to the H.Q. (Koyala Bhawan) for necessary approval. Since the workman was on the roll of the company at the time of his death, his dependent wife Sugia Bhuini received the amount under Life Cover Scheme (as per Clause 9.1 of NCWA-IV). But her claim for employment was regretted by the Competent Authority of M/s. BCCL as per Ref. No. BCCL/PA-VI/3(13)KPA/7/93/21489 dtd. 15/23-7-1994 without any reason which was communicated to her as per the Management's letter No. KP/94/1603 dtd. 11/12-8-94.

3. Further case of the petitioner is that late Kedar Bhuia prior to his death had resigned from his service on the ground of ill health, but the same was not accepted. Finding no alternative, the workman asked just as the Union did for resumption of his duty, for which then P.M. concerned as per letter No. KPA/PO/90/F-KIMP/766 dtd. 14/16-8-90 sought comment from the Management, then the Management issued a chargesheet against the workman as per letter Ref. No. KP/CS/91/1049 dtd. 8/9-5-91 for alleged unauthorised absence from duty from 15-4-87. But in course of the Enquiry being conducted by Sri B.H.S. Tiwari, Dy. P.M. as the Enquiry Officer by virtue of his appointment letter Ref. No. KP/91/Enquiry/1095/Katras Project dtd. 16-5-91, the workman expired on 8-1-92. As already stated that the workman was on roll of the company at the time of his death, his dependent wife had claimed for her employment but it was regretted by the Competent Authority. On the request of the Union for

intervention, the ALC(C) Dhanbad tried his best to prevail upon the Management to settle the issue, but due to adamant attitude of the Management, the failure of the conciliation resulted in the reference for adjudication.

4. The Union concerned represented in its rejoinder specifically denying the allegations of the Management, is that late workman on his request even through the Union was not allowed to resume his duty, so it was not his abandonment from service. If the Management had accepted the resignation tendered by the workman, his name would have been struck off the roll of the company, and it would not have been a change for issuance of the chargesheet and for initiation of the departmental proceeding against the workman. During the pendency of the issue raised by the Union before the D(P) of the BCCL, the workman died of starvation. The acceptance of the Management for initiation of departmental proceeding following the issuance of the chargesheet against the workman is on the one hand whereas its statement for alleged non-existence of the workman's name on the roll of the company is on another hand. The claim of applicant as dependent wife of deceased workman for employment is incorrect as per clause 9-4-2 of NCWA-IV.

5. Whereas the case of the Management in a challenge to the maintainability of the industrial dispute is that the employment to dependent is always on compassionate ground only in case of premature death in an accident, certain disease or medical unfitness of the workman. Management has discretionary power to consider each case on its merits and circumstances. Applicant Sugia Bhuini can neither be the member of the Union nor file the reference through it just as it is not raisable by a dead person. Workman Kedar Bhuia, who was working at Katras Project Area, started to absent from his duty from 15-4-87, so he was considered to have abandoned his employment since then after three years of his unauthorised and unjustified absence, he was issued a chargesheet for it. On the proof of the charge at the departmental enquiry, while the Management was contemplating to issue his dismissal order, the workman submitted his resignation from service in order to avoid his dismissal. The Management immediately accepted his resignation, and his name was struck off the roll. The Management however sent information to the workman to explain his difficulties in continuing his employment if he wanted any assistance from the Management in any respect, but the workman did not bother, and ultimately it was reported about his death on 8-1-92. Since the workman did not work more than five years, and being absent from 15-4-87, since then he was not doing the job none, nor the applicant approached the Management for employment on his behalf. Thus the applicant being not dependent upon the workman during his absence has no justified ground for her employment, so her claim is liable to be summarily rejected.

The Management categorically denying the allegations of the petitioner her stated in its rejoinder that the concerned lady was paid all the dues admissible and that since the workman was not on the roll of the company following the acceptance of his resignation by the company, her claim for employment had no reasonable ground for it.

FINDING WITH REASONING

6. In this case, WW-1 Pradeep Kumar Paswan, as the Secretary of and on behalf of the Union, and MW-1 Dipak Kr. Viswakarma, the legal Assistant in behalf of the Management have been examined.

On the perusal of the materials available on the case records, I find that WW-1 Pradeep Kumar Paswan as the Assistant Secretary to the Union concerned has stated that workman Kedar Bhuia, Ex-Miner Loader had died in harness on 8-1-1992 and thereafter his widow petitioner Smt. Sugia Bhuini had represented for her employment on 9-3-92 (Ext. W-2) through the Project Officer concerned, who had forwarded it to the Area Office of the G.M., who also forwarded it with the recommendation to the Headquarters. But her representation for her employment was regretted, though the petitioner received all the claims under Life Coverage Scheme. Further statement of the Witness (WW-1) is that the Management prior to the death of workman had issued a chargesheet to him and notice of enquiry was also issued but during the pendency of the enquiry, he died and accordingly the copies of the documents (Ext. W-1 to W-7) have been submitted in behalf of the petitioner in support of the claim. According to the witness, admittedly deceased workman did not attend to his duty since 16-4-87 till the date of his death.

7. On the other hand, the testimony of MW-1 Dipak Kumar Viswakarma, the Legal Assistant is that workman Kedar Bhuia the Miner/Loader posted at Katrasgarh Area started to absent since 15-4-87 for which he was issued charge-sheet after three years and the management decided to hold the Domestic enquiry against him and accordingly the Enquiry Officer as appointed by the Disciplinary Authority after the completion of the domestic enquiry submitted the enquiry report against the workman. Further the management witness has alleged that during that period the concerned workman had submitted his resignation from service which was accepted by the management and the workman died on 8-1-92. But unfortunately the witness (MW-1) could not substantiate with any such document about the alleged resignation of the workman or the acceptance of it by management, rather it is an admitted fact that petitioner Sugia Bhuini who was paid all the dues of the workman, had submitted an application for her employment after the death of her said husband.

8. Out of the documentary proof available on the case record I find that Ex-Miner Loader Kedar Bhuia died on 8-1-92 as per the certificate issued by the Deputy Medical Superintendent, East Katras Dispensary dtd. 9-1-92 (Ext. W-1). Consequent upon the representation of petitioner Sugia Bhuini as his widow for employment (Ext. W-2), her representation was rejected by the management as per letters dtd. 15/23-7-94 and 11/12-8-94 (Ext. W-3 and W-4). The rest documents as proved on behalf of the petitioner are the photo copy of the charge-sheet dtd. 8/9-5-91 and enquiry into the charge-sheet as per letter dtd. 16-5-91 issued against the workman (Ext. W-5 and W-6 respectively). Whereas a copy of the discharge certificate dtd. 23-12-91 under the signature of M.O. concerned (Ext. W-7) which was issued to the workman after the treatment of his Liver Cirrohosis but in good condition.

9. Mr. B.B. Pandey, the Ld. Advocate for the Union has submitted that the Management has taken the plea about the workman that he was not on the roll of the company but no such reason was communicated to the petitioner widow of the workman in its aforesaid regretful letters (Ext. W-3 and W-4), likewise the management did not produce any document to that effect, thus the claim of the petitioner for her employment is quite justified. On the other hand Mr. D.K. Verma, the Ld. Advocate for the management has the contention that the admission about the workman to have submitted his resignation prior to his service on account of his ill health which was not accepted by the management as para-6 of the W.S. of the petitioner, as such according to C.S.O. Clause 17.8, an employee loses his lien if he remains absent for 10 days continuously so the employee was no longer in service as the claim of the petitioner is not sustainable under C.S.O. Clause 9.3.2.

10. On the consideration of the aforesaid facts and circumstances, I find that the petitioner has merits for her employment in place of premature death of her husband workman ex-Miner Loader Kedar Bhuia who died in harness and she had properly represented before the management for it, as the ex-workman was an employee as Miner Loader under the management. Therefore, it is held that the action of the management of Katras Project of M/s. BCCL in denying employment to petitioner Smt. Sugia Bhuini, the dependent wife of late Kedar Bhuia the Ex-Miner/Loader who expired on 8-1-1992 is not legally justified. Hence, the petitioner Sugia Bhuini as his dependent wife is entitled to employment in place of her deceased aforesaid husband workman.

The management is directed to implement the Award within one month from the date of its publication in the Gazette of India.

KISHORI RAM, Presiding Officer

नई दिल्ली, 19 दिसम्बर, 2011

का.आ. 163.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार हादोती क्षेत्रीय ग्रामीण बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण जयपुर के पंचाट (संदर्भ संख्या 9/2007) को प्रकाशित करती है, जो केन्द्रीय सरकार को 14-12-2011 को प्राप्त हुआ था।

[सं. एल-12012/72/2006-आई आर(बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 19th December, 2011

S.O. 163.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 9/2007) of the Central Government Industrial Tribunal-cum-Labour Court, Jaipur as shown in the Annexure, in the industrial dispute between the management of Hadoti Kshetriya Gramin Bank, and their workman, received by the Central Government on 14-12-2011.

[No. L-12012/72/2006-IR (B-I)]

RAMESH SINGH, Desk Officer

अनुबंध

केन्द्रीय सरकार औद्योगिक अधिकरण एवं श्रम न्यायालय,
जयपुर

सी.जी.आई.टी. प्रकरण सं. 09/2007

श्री एन. के. पुरोहित, पीठासीन अधिकारी

विज्ञप्ति सं. (रफोन्स नं. L-12012/72/2006-IR (B-I) दिनांक 22-01-2007

Shri Ramcharan S/o. Sh. Surajmal
Through Secretary, Chambai Karamchari Union,
2-J-3, Teachers Colony, Keshavpura,
Kota (Rajasthan)

V/s

The Branch Manager,
Hadoti Kshetriya Gramin Bank,
Nayapura, Kota (Rajasthan)

प्राथी की तरफ से : एक-पक्षीय कार्यवाही
अप्राथी की तरफ से : श्री ओम प्रकाश जैन

पंचाट

दिनांक 24-11-2011

केन्द्रीय सरकार के द्वारा निम्न विवाद औद्योगिक विवाद अधिनियम, 1947 की धारा 10 की उप-धारा के खण्ड (घ) के

प्रावधानों के अन्तर्गत उक्त निर्देश के जरिए न्यायनिर्णयन हेतु प्रेषित किया गया था।

"Whether the workman Shri Ramcharan S/o Sh. Surajmal has worked more than 240 days in a year in the Bank. If yes, whether the action of termination the service of the workman by the Manager, Hadoti Kshetriya Gramin Bank Branch, Nayapura, Kota w.e.f. 02-01-2006 is legal and justified? If not, what relief the employee is entitled to and from which date?"

प्राथी के स्टेटमेंट ऑफ क्लेम में अभिवचन है कि उसे अप्राथी बैंक द्वारा लगभग 15 वर्ष पूर्व अप्राथी बैंक की कोटा शाखा में सफाई-कर्मचारी के रूप में नियोजित किया गया था। उससे पूरे समय कार्य लिया जाता था लेकिन भुगतान अंशकालीन श्रमिक के हिसाब से मात्र 100 रुपये माह दिया जाता था। लेकिन अप्राथी बैंक ने दिनांक 02-01-2006 को अधिनियम की धारा 25 F के प्रावधान की अवहेलना करते हुए बिना कोई नोटिस या छुटनी का मुआवजा अदा किए सेवा से पृथक कर दिया गया। प्राथी ने अप्राथी के यहां कार्यरत रहने के दौरान प्रत्येक कैलेंडर वर्ष में 240 दिन से अधिक कार्य किया है। प्राथी ने यह भी अभिकथित किया है कि सेवा से पृथक किए जाने से समय वरिष्ठता सूची का प्रकाशन नहीं किया तथा उसे पुनः सेवा का अवसर दिए बिना अन्य श्रमिकगण प्रेमचन्द एवं शोकत को लाड़पुरा शाखा में नियुक्ति दी गई है तथा श्रमिक श्री रामभू को स्थाई किया गया है। इस प्रकार अधिनियम की धारा 25 F एवं G का उल्लंघन किया है। अतः प्राथी को सेवा से पृथक किए जाने की तिथि से निरन्तर सेवा में मानते हुए समस्त देय लाभ दिलवाए जाने हेतु प्रार्थना की है।

3. अप्राथी ने क्लेम को अस्वीकार करते हुए कहा है कि उसे बैंक की सेवा में कभी नियोजित नहीं किया गया तथा उसे अप्राथी बैंक परिसर में स्थित सौचालय की सफाई के रूप में 100 रुपये प्रतिमाह भुगतान किया जाता था तथा सफाई का कार्य वह स्वयं अथवा अपने परिवार के सदस्य या अपने प्रतिनिधि से करवाता था। उसे उक्त 100 रुपये की राशि वेतन के रूप में नहीं दी जाती थी। अप्राथी के अभिवचन है कि प्राथी ने सई 2005 के बाद स्वयं ही काम छोड़ दिया था। श्री प्रेमचन्द शोकत व रामभू सिंह की नियुक्ति संदेश-वाहक कम-झाड़ूकश के पद पर प्रधान कार्यालय द्वारा नियमानुसार की गई थी। अतः प्राथी का क्लेम स्वीकार किये जाने योग्य नहीं है।

4. अप्राथी प्रतिनिधि को सुना गया। पत्रावली का अवलोकन किया।

5. दिनांक 25-01-2011 को प्राथी के विरुद्ध एक-पक्षीय कार्यवाही किए जाने का आदेश पारित किया गया।

6. एक-पक्षीय साक्ष्य में अप्राथी ने श्री विमल कुमार जैन शाखा प्रबंधक का शपथ-पत्र प्रस्तुत किया है तथा अपने पक्ष-कथन के समर्थन में प्राधिकारी न्यूनतम वेतन अधिनियम कोटा के आदेश निर्णय दिनांक 16-01-2010 की फोटो-प्रति एवं उक्त कार्यवाही के संबंध में प्राथी द्वारा प्रस्तुत शपथ-पत्र एवं फरवरी 2002 से जुलाई 2004 की अवधि के कुछ भुगतान वाउचर्स की फोटो-प्रतियां प्रस्तुत की है।

7. यह सिद्ध करने का प्रारंभिक भार प्रार्थी पर था कि उसने दिनांक 02-01-2010 से पूर्ववर्ती 12 माह की अवधि में उसने कम से कम 240 दिन कार्य किया है इसलिए उसे धारा 25 F के प्रावधानों की पालना किए बिना सेवापृथक किया जाना अवैध एवं अनुचित था।

8. प्रार्थी ने अपने अभिवचनों के समर्थन में कोई मौखिक साक्ष्य पेश नहीं की है उसके विरुद्ध एकपक्षीय कार्यवाही चली है। प्रार्थी ने क्लेम के समर्थन में सिर्फ कुछ भुगतान वाउचर्स एवं उसके द्वारा वेतन बढ़ाये जाने के सम्बन्ध में प्रेषित कुछ पत्रों की फोटो-प्रतियां प्रस्तुत की हैं।

9. अप्रार्थी के साक्षी श्री विमल कुमार जैन ने अपने शपथ-पत्र में कहा है कि प्रार्थी नयापुरा शाखा परिसर में शौचालय का सफाई हेतु कभी-कभी अपनी स्वेच्छा तथा अपनी उपलब्धता के अनुसार ही कार्य करने आता था जिसके लिए उसे 100 रुपये प्रतिमाह की दर से बैंक वाउचर से भुगतान किया जाता था जोकि वेतन की श्रेणी में नहीं आता। अप्रार्थी साक्षी का कथन है कि प्रार्थी को न कोई नियुक्ति आदेश दिया गया और न ही इस संबंध में मस्टररोल में इन्द्राज किया गया। उसका यह भी कथन है कि प्रार्थी को दिनांक 02-01-2006 से सेवा से पृथक करने का कथन असत्य है क्योंकि प्रार्थी अप्रार्थी बैंक की सेवा में कभी रहा ही नहीं। प्रार्थी ने कभी भी एक वर्ष में 240 दिन कभी भी नयापुरा शाखा में काम नहीं किया।

10. अप्रार्थी की ओर से प्रार्थी के द्वारा पूर्व में प्राधिकारी, न्यूनतम वेतन अधिनियम के यहां प्रस्तुत प्रार्थना-पत्र पर दिए गए निर्णय दिनांक 16-01-2010 की प्रमाणित प्रतिलिपि प्रस्तुत की है तथा इस संबंध में प्रार्थी के द्वारा शपथ-पत्र की प्रमाणित प्रतिलिपि भी प्रस्तुत की है। जिनके अवलोकन से यह प्रगट होता है कि प्रार्थी ने अप्रार्थी को यहां मई 2005 तक ही कार्य करने की बात कही है। उक्त निर्णय में भी कहा गया है कि उसने मई 2005 तक ही कार्य किया है। अप्रार्थी द्वारा प्रस्तुत मौखिक एवं दस्तावेजी साक्ष्य से यह प्रगट होता है कि प्रार्थी ने दिनांक 02-01-2006 से पूर्ववर्ती 12 माह की अवधि में 240 दिन कार्य नहीं किया है। इसके खण्डन में प्रार्थी की साक्ष्य नहीं है। अतः प्रार्थी के मामले में धारा 25 F औद्योगिक विवाद अधिनियम के प्रावधान लागू नहीं होते।

11. प्रार्थी को सिद्ध करना था कि उसे हटाए जाने के बाद अप्रार्थी ने अन्य श्रमिकगण को धारा 25 H के प्रावधानों के विपरीत नियोजन दिया है। लेकिन इस संबंध में प्रार्थी ने कोई साक्ष्य प्रस्तुत नहीं की है जबकि अप्रार्थी साक्षी का कथन है कि जिन लोगों को नियुक्ति दी गई है वह नियमानुसार प्रधान कार्यालय के द्वारा दी गई है। अतः प्रार्थी धारा 25 H के प्रावधानों के अभिकथित उल्लंघन को भी साबित करने में असफल रहा है।

12. उक्त निष्कर्षों के आधार पर यह अभिनिर्धारित किया जाता है कि प्रार्थी ने दिनांक 02-01-2006 से पूर्ववर्ती 12 माह की अवधि में 240 दिन कार्य नहीं किया है तथा उक्त तिथि को प्रार्थी रामचरण के सेवामुक्ति का अप्रार्थी का कथित कृत्य अनुचित एवं अवैध नहीं है। न्यायनिर्णयन हेतु निर्देश का उत्तर उक्त प्रकार दिया जाता है। पंचाट तदनुसार पारित किया जाता है।

13. पंचाट की प्रतिलिपि केन्द्रीय सरकार को औद्योगिक विवाद अधिनियम, 1947 की धारा 17(1) के अन्तर्गत प्रकाशनार्थ प्रेषित की जावे।

एन. के. पुरोहित, पीठासीन अधिकारी

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 164.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं.-2, के पंचाट (संदर्भ संख्या 82/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/54/2004-आई आर (सी-1)]

डी.एस.एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 164.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 82/2004) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. CCL, and their workman, which was received by the Central Government of 20-12-2011.

[No. L-20012/54/2004-IR(C-1)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947

Reference No. 82 of 2004

PARTIES: Employers in relation to the management of Bhurkunda Colliery of M/s. CCL and their workman.

APPEARANCES:

On behalf of the workman : None

On behalf of the employers : Mr. D. K. Verma, Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 8th December, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section

10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/54/2004-IR-(C-I) dated, 28-06-04.

SCHEDULE

“Whether the demand of the Coalfield Labour Union from the management of Bhurkunda Colliery of M/s. C.C.L. P.O. Bhurkunda, Distt. Hazaribagh for correction of date of birth Sri Suresh Singh Munshi as per the certificate issued by Bihar Vidyalaya Pariksha Samittee is proper and justified? If so, to what relief is the concerned workman entitled?”

2. None represented the Union concerned nor workman Suresh Singh Munshi present nor workman witness produced for evidence despite registered notices including show cause dt. 13-2-08, 21-10-10, 21-12-10 and 16-3-2010. But Mr. D.K. Verma, the Ld. Advocate for the management is present.

3. Perused the case record, I find that the case has been pending for the evidence of the workman since 17-8-2006 but not a single witness produced on behalf of the representative Union. The present reference case relates to the matter for the correction of the date of birth of the workman Suresh Singh Munshi as per the certificate issued by Bihar Vidyalaya Pariksha Samittee but the conduct of the representative Union as well as the workman clearly indicates their disinterestedness to contest the case. Proceeding with the case for uncertain period of time is wastage of time and energy of the Tribunal in vain. Therefore the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 165.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार बी. सी.सी.एल. के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं.-2, के पंचाट (संदर्भ संख्या 62/2005) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/278/2004-आई आर(सी-1)]

डी.एस.एस. श्रीदेवात राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 165.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 62/2005) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government of 20-12-2011.

[No. L-20012/278/2004-IR(C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL(No. 2) AT DHANBAD PRESENT

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947

Reference No. 62 of 2005

PARTIES: Employers in relation to the management of Amlabad Colliery of M/s. BCCL and their workman

APPEARANCES:

On behalf of the workman : None
On behalf of the employers : Mr. U. N. Lal,
Advocate

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 7th December, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/278/2004-IR-(C-I) dated, 2nd June, 2005.

SCHEDULE

“Whether the demand of the Coal Mines Piece Rated Workers Association from the management of BCCL, Amlabad Colliery to regularise Sh. Nakul Singh as on setter is justified? If so, to what relief is the workman entitled and from what date?”

2. None represented the Union for workman Nakul Singh nor workman witness produced despite afresh registered notice dt. 28-9-2011 addressed to the President of the Union concerned as noted in the reference, for production of work witness. But Mr. U.N. Lal, Ld. Advocate for the management is present. On perusal of the case record I find the case of the year 2005 pending for the evidence of workman since 9-8-2006 and since then despite registered notices including show cause one not a single witness produced on behalf of the Union for the workman. The reference relates to the matter of regularisation of the workman Nakul Singh as on Setter as raised by the Union, but the very conduct of the Union representative as well as the workman clearly indicates their unwillingness to pursue the case seriously. It is the oldest case of the year 2005. Hence, the case is closed in this circumstances and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 166.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी.सी.एल. के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण धनबाद नं. 2 के पंचाट (संदर्भ संख्या 72/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/6/2005-आई आर(सी-1)]

डी.एस.एस.श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 166.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 72/2005) of the Central Government Industrial Tribunal-cum-Labour Court-2, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. CCL, and their workman, which was received by the Central Government on 20-12-2011.

[No. L-20012/6/2005-IR (C-1)]

D.S.S. SRINIVASA RAO Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

PRESENT

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section 10
(1)(d) of the I.D. Act, 1947

Reference No. 72 of 2005

PARTIES: Employers in relation to the management of
Kathara Colliery of M/s. CCL and their
workman.

APPEARANCES:

On behalf of the workman : None
On behalf of the employers : Mr. D. K. Verma,
Advocate
State : Jharkhand Industry : Coal

Dated, Dhanbad, the 7th December, 2011

ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/6/2005-IR (C-1) dated the 19th July, 2005

SCHEDULE

“Whether the demand of the Rashtriya Colliery Mazdoor Sangh from the management of Kathara Colliery of M/s. CCL for promotion of Shri Gendu

Saw, E.P.G.H.Gr. 'E' to the post of E.P. Fitter Gr. III/D is legal and justified? If so, to what relief is the concerned workman entitled and from what date?”

2. None represented the Union concerned nor workman Gendu Saw present nor any witness for the evidence on behalf of the workman produced despite the registered notices including show cause dt. 20-10-2010, 6-4-2011, 21-10-2011 addressed to the Secretary of the Union concerned. Mr. D.K. Verma, the Ld. Advocate for the management is present.

3. Perused the case record. I find the case has been pending since 6-9-11 for evidence of the workman. But despite registered notice and last chance no witness produced by the workman. The present case relates to the matter of the promotion of the workman, E.P.G. H. Grade-D to the post of E.P. Fitter Gr. III/D. From the conduct of the Union as well as the workman it stands clear that they are not interested to pursue the case for proper adjudication. Under the circumstances proceeding with the case for uncertainty is futile and wastage of time and energy of the Tribunal. Hence, the case is closed and accordingly order is passed.

KISHORI RAM, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 167.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, भारतीय स्टेट बैंक के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 80/2009) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-12012/165/2008-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 167.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 80/2009) of the Central Government Industrial Tribunal-cum-Labour Court-2, Chennai as shown in the Annexure, in the Industrial Dispute between the management of State Bank of India, and their workmen, which was received by the Central Government on 20-12-2011.

[No. L-12012/165/2008-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT CHENNAI

Friday, the 2nd December, 2011

Present : A.N. Janardanan
Presiding Officer

Industrial Dispute No. 80/2009

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Management of State Bank of India and their Workman].

BETWEEN

The General Secretary : 1st Party/Petitioner Union
State Bank of India Ambedkar
Trade Union No. 635,
Ranaiaimmai Street,
Periyar Nagar, Chennai-600039

Vs.

The Chief General Manager : 2nd Party/Respondent
State Bank of India
Local Head Office
Chennai-600006

APPEARANCE:

For the 1st Party/Petitioner : M/s. Balan Haridas,
Advocates

For the 2nd Party/Management : Sri V. R. Gopalarathnam
Advocate

AWARD

The Central Government, Ministry of Labour *vide* its Order No. L-12012/165//2008-IR (B-I) dated 27-8-2009 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether action of the management of State Bank of India in awarding punishment of bringing down to lower stage in the time scale of pay by 2 stages for 12 years with cumulative effect in respect of Sri I. Thangavelu, is justified? If not, to what relief is the workman concerned entitled?"

2. After the receipt of Industrial Dispute, this Tribunal has numbered it as ID 80/2009 and issued notices to both sides. Both sides entered appearance through their respective counsel and filed their Claim and Counter Statement as the case may be.

3. The averments in the Claim Statement briefly read as follows:

The workman, I. Thangavelu working under the Respondent/Bank since 20-12-1980 was on 21-12-2001 was suspended. Afterwards a Charge Memo dated 11-2-2004 was issued to him framing 3 charges to which he gave an explanation denying the charges. A domestic enquiry was ordered. The details of the charges are as below:

First charge

The charge is that the workman had credited Rs. 3,000 in respect of SB A/c Holder Mrs. B. Alderson in the account of one M. Sukumaran in order to

misappropriate and when it was enquired by her he deposited a cheque for Rs. 3,000 in her account.

Second Charge

The charge is that the workman had diverted the credit relating to certain customers to the accounts of friends/relatives on 13 occasions which the workman admitted to the tune of Rs. 44,570 and repaid to the bank

Third Charge

The charge is that he borrowed from outside without the knowledge of the bank.

4. The charges were not proved in the enquiry. He was working as Clerk in the clearing seat in the Chennai Main Branch. The procedure adopted in respect of deposit of cheques is as follows. Customer deposits his cheques with duly filled in pay-in-slip. As the Clerk in the clearing seat workman receives the cheques and pay-in-slip and give the counterfoil initialed by him to the customer. Then he enters the particulars of the cheque viz. cheque number, name of the bank, amount, name of the customer and his account number in the clearing scroll, which is written with two copies. The filled-in scroll and the cheques with pay-in-slip are then handed over to the Head Clerk who verifies all the particulars where after handover to the Personal Banking Division Officer who retains one copy of the scroll. The Personal Banking Division Officer again checks the scroll and pay-in-slips and cheques. Thereafter PBD Officer will send the scroll (two copies), pay-in-slips and cheques to clearing department where is retained one copy of the scroll and pay-in-slips in lock and key and send one copy of the scroll with cheques to Reserve Bank of India. On the cheques so sent for realization, after being realized, which is usually on the third day the clearing department will issue the pay-in-slips to the Deputy Manager who issues the pay-in-slips to the Officer-in-charge in the SB/Current Account Counter-in-Charge as the case may be. The Counter-in-Charge Officer then will give the pay-in-slips to the concerned computer operator for giving credit entry/posting the amount as per the pay-in-slip in the concerned account, where after the Counter-in-charge Officer has to give "Yes" to the entry made by the Computer Operator and only then the credit entry will reach the concerned account. It is evident that the work of the workman is over from the moment he makes the entry in the scroll and hand over the pay-in-slips and cheques to the Head Clerk. The Enquiry Officer in a pre-determined mind held the charges as proved. Finding on the first charge is perverse without any legal evidence. The substance of the first charge is that the workman had obtained cheque dated 8-8-2001 without payee's name from M/s. Kumaran Travels and filled in the payee's name as B. Alderson and credited to the account of B. Alderson. The charge is utter falsehood. The workman as Clerk in the clearing cannot credit any cheque to any account. Credit will be given there after by the concerned Computer Operator. For any wrong credit he cannot be held responsible. There was no evidence placed

to show that payee's name was written by the workman. Mrs. Alderson did not complain that the cheque of M/s. Kumaran Travels does not belong to her. No material was placed to show that the cheque was deposited by the workman. The relevant pay-in-slip requested for by the workman was not furnished with a view to hide the fact that the cheque in question was deposited by Alderson herself. No complaint from Mrs. Alderson alleging wrong entry or that cheque of Kumaran Travels was not intended to her. She had not been examined offering any reason. The cheque or pay-in-slip were not produced in the enquiry. There is no evidence to show that on 31-7-2000 Alderson presented the cheque. No material was there to show that the cheque of M/s. Kumaran Travels was in replacement of the cheque said to have been presented on 31-7-2000. Owner of Kumaran Travels was not examined in the enquiry nor any statement of him was obtained. There was no material to show that the cheque was obtained without writing payee's name. An unsigned statement prepared by the Chief Manager said to have been given by the owner of the Travels produced in the enquiry cannot be relied upon. A statement was prepared alleged to be written on the basis what the workman told to the officials of the bank to know about Kumaran Travels as mentioned by the Enquiry Officer. PW2, Sri J. Sivaprakasam in the cross-examination mentioned that the statement was written by I.O. Murthy. The alleged statement of workman is fabricated. In re-examination after being ably tutored Sivaprakasam further deposed turning around as if Krishna Kumar only recorded the statement. The Enquiry Officer, not the Enquiry Officer who conducted the proceedings by misreading the evidence and by surmises and conjectures held first charge as proved without legal evidence. Regarding Second Charge which was also not proved in the enquiry as in the case of the First Charge all the 13 cheques in question have been dealt with in commencement by the workman. The said 13 cheques and the pay-in-slips were not presented in the enquiry. Particulars about the customer and the account number, who deposited the cheques, etc. were not furnished. There was no material to show that workman only diverted the credits relating to other customers. There was no evidence to show that N. Sukumaran and M. Rajendran are friends of the workman. They were not examined in the enquiry. The Enquiry Officer held the workman guilty of Second Charge on the basis as the workman was in need of funds by citing the Third Charge. A mere taking of loan within the limit cannot be reason for holding the second charge as proved. Enquiry Officer has relied upon payment of Rs. 45,570 as reason for holding guilty of the First and Second Charge. This payment was obtained from the workman under the threat of Police Complaint by detaining him in the Bank for several hours in the name of interrogation. Mere remittance of the amount by him has nothing to do with the charges. The amount is in Suspense Account. The borrowings mentioned as Third Charge are

within the limits. His wife also draws a monthly income of Rs. 9,000. All the loans have been repaid. So they were not in excess of his capacity and were prior to the circular dated 5-1-2004 prescribing condition to get permission for outside borrowing. Holding the charge as proved is perverse. Despite all these the finding was accepted by the Disciplinary Authority and punishment was imposed which is harsh. Appeal was dismissed for reasons contrary to evidence, thus being perverse and illegal. Punishment is grossly disproportionate causing loss of considerable sum to the workman. The punishment is to be set aside restoring his pay-scale with all benefits.

5. Counter Statement allegations briefly read as follows:

The dispute being only individual dispute and not Industrial Dispute there is no locus-standi to the petitioner. The employee while in Clearing Section committed misconducts for which he was suspended on 20-12-2001 and was thereafter charge sheeted on 11-12-2004 containing 3 charges. Enquiry was held following the principles of natural justice and as per the service conditions in which Thangavelu was given full opportunity with representative. There were three witnesses and 29 exhibits on the side of the bank and one witness and 5 exhibits on the other side. It is denied that charges are not correct and not proved. Finding is after analyzing the evidence correctly. Thangavelu had accepted the Second Charge before the Officer who conducted investigation and remitted the amount. It is denied that Thangavelu remitted the amount under threat of Police Complaint which is an afterthought to wriggle out of the situation. The payment was voluntary and quick in succession after giving confession before the Investigation Officer. Finding is not perverse but is based on legal evidence. Punishment is not harsh or disproportionate to the gravity of the offence. Enquiry was fair, just and proper observing principles of natural justice. That punishment imposed will have a bearing on the terminal benefits cannot be a ground for granting the relief. Claim is to be dismissed.

6. Points for consideration are:

(i) Whether the punishment of bringing down to lower stage in the time scale of pay by two stages for 12 years with cumulative effect in respect of Sri Thangavelu is justified?

(ii) To what relief the concerned workman is entitled?

7. Evidence consists of Ex.W1 to Ex.W35 on the petitioner's side and Ex. M1 to Ex. M5 on the Management's side, both sets marked on consent with no evidence adduced on either side.

Points (i) & (ii)

8. Heard and perused the written arguments on both sides and the records and documents. It is argued on behalf of the petitioner that the charges are not correct and that

they were not proved in the enquiry. The finding is perverse without any legal evidence or basis. If anything has gone wrong while giving credits to the account the workman cannot be held responsible because his role as a Clerk in the Clearing Seat is over from the moment he makes entry in the scroll and hand over the pay-in-slips and cheques to the Head Clerk. There is no evidence that the payee's name in the cheque for Rs. 3,000 was written by the workman or that the cheque of M/s. Kumaran Travels was deposited by him in the account of Mrs. Alderson. The pay-in-slips though requested for by the workman were not furnished in the enquiry. There is no complaint from the Customer, Alderson alleging wrong entries in her account. She is not examined as witness. The cheque for Rs. 3,000 was also not produced in the enquiry. The owner of Kumaran Travels was not examined nor any statement was produced. The unsigned statement said to be of owner of Kumaran Travels cannot be relied upon. The workman did not give a statement on 15-12-2001 as could be found that the same does not contain his signature. The same is an unsigned statement in the handwriting of Chief Manager, Sri K. Krishnakumar. But according to PW2, Sri J. Sivaprakasam the statement was written by I.O. Murthy. Hence Sivaprakasam was not present at the time of the statement and the same is fabricated. Again in re-examination Sivaprakasam turned around and stated Krishnakumar recorded the statement demonstrating falsity of the charge to fix the petitioner by hook or crook. Further arguments were also advanced in terms of the Claim Statement.

9. Contra arguments are that the charges are proved based on oral and documentary evidence coupled with circumstantial evidence. PW1 and PW2 proved the statement given by the workman before the Investigating Officer on 15-12-2001. The statement is admissible. Ex. PEX7-Collection Scroll proves tendering of cheque for Rs. 3,000 by Mrs. B. Alderson, which as per Ex. PEX8 shows no corresponding credit till 14-9-2001 though the amount is to be credited on the same date. Ex. PEX9 shows credit of Rs. 3,000 in the account of Sukumaran further proved from Ex. PEX.10 whereas Ex. PX16 on 31-7-2001 does not reveal presentation of cheque of Rs. 3,000 to be so credited indicating the same as an extraneous credit not pertaining to Sukumaran's account. As per Ex. PEX4 letter of Sukumaran the extraneous credit is admitted by him. The information regarding the extraneous credit as mentioned by Sukumaran was from Thangavelu indicating petitioner to have had prior knowledge about the said credit. Ex. PEX5 dated 12-7-2002 indicates Thangavelu to have had obtained cheque from Kumaran Travels without mentioning the payee's name, to which Krishnakumar was a witness wherein name of payee was filled-up and the credit voucher for Rs. 3,000 dated 14-1-2001. Ex. PEX17 in the name of Alderson is in the hand of Thangavelu. Only from Ex. PEX1 deposition of Thangavelu LHO official came to know of M/s. Kumaran Travels. PW1 and PW2 bank employees are witnesses to Ex. PEX1 deposition of Thangavelu though

not containing the latter's signature. There is no enmity for them towards Thangavelu. PW1 has admitted having written the deposition. Under PEX. 16 clearing scroll dated 12-9-2001 there is one Rs. 3,000 drawn on Union Bank of India credited to SB A/c of Sri Rajendran with no corresponding entry for credit to the account of Smt. Alderson whereas the credit was released on 14-9-2001 to the account of Smt. Alderson. The workman himself admitted having made the wrong credits to Sukumaran's accounts due to heavy routine work, but disowning liability alleging nothing mala fide in it. Thangavelu did not object his confession statement that he was intimidated to pay the amount. Only by 14-3-2002 by EX. W3 he does so. Ex. PEX. 27, Ex. PEX. 4 and Ex. PEX. 26 show petitioner to have diverted the credits to Sukumaran's account. It could be seen that overdraft of Thangavelu was overdrawn on most of the days. Ex. PEX 3 letter of Niranjan Kumar shows nexus between him and Thangavelu. Ex. PX3 shows his Uncle Thangavelu to have had caused the wrong credit by diversion. The parking of funds in the accounts of Seeniammal and Rani is also attributable to the workman as evident from his statement. That under Police threat he was remitting the amount is not true. The fact that the 13 credit vouchers are not traceable and are not forthcoming could obviously for the reason that the wrong doer ensured the vouchers not to be available for later scrutiny who is benefited by them. The employee was in need of money and he resorted to outside borrowings. There is nothing to challenge the enquiry, finding or the punishment imposed. The same is not to be interfered with, the counsel sums up the arguments.

10. On an anxious consideration of the whole of the materials I am justified in holding that the enquiry, the finding and the punishment imposed are only to be kept intact. There is logically probative material in arriving at the conclusion reached by the Enquiry Officer, in the enquiry held in just and proper manner. Though some materials tend to be hearsay there is no allergy to the same provided there is reasonable nexus and credibility. The various materials of that description could be found to have reasonable connectivity and credibility as could be seen from oral and documentary evidence. The circular dated 5-1-2004 prescribing condition to get permission for outside borrowing is not produced to substantiate the argument of the petitioner that the same is not applicable to the specific instance of his personal borrowing. This aspect is only mentioned in the pleading. The confession statement of the petitioner though challenged as being tainted as an outcome of threat of Police complaint cannot be found to be one so obtained by way of threat. It appears voluntary and natural emanating from a man who is really guilty of such misconducts and from his own mouth in a natural and logical sequence. They come in so much details and that it flows naturally regarding events that actually transpired. It is intrinsically and inherently discernible as unfolding of nothing short of actual events not out of the impact of any

coercion or foreboding of something untoward happening to the maker extraneously other than from the authority before whom it was being made, if such a confession is not made. Having regard to the contents of the confession and the logical sequence in which they come out it could be found that it is not the workman speaking the facts but it is the facts finding their actual expression through the words of the workman in its true, natural and logical form without there being anything strange or alien by way of embellishments, additions or denial of any material deviating from the true facts. In the Industrial adjudications the question is not whether there has been no sufficient evidence to warrant the finding. It is whether there is some evidence to warrant such a finding. Any material logically probative to a prudent mind is reliable to enter a finding. There is no taboo even to hearsay evidence as already mentioned above. With some evidence of a conclusive nature corroborated by circumstantial evidence the finding has been arrived at which is not at all open to challenge. Same is the case with the punishment also in which there is no scope for interference as being disproportionate to the gravity of the offence under Section 11A of ID Act, 1947. In fact the Management has been magnanimous in meting out a lenient treatment with the workman. That the gravity of the punishment may adversely affect his superannuation benefits is an alien consideration to influence interference with the punishment. Therefore the action of the Management is justified and the petitioner is not entitled to any relief.

11. The reference is answered accordingly.

(Dictated to the P.A., transcribed and typed by him, corrected and pronounced by me in the open court on this day the 2nd December, 2011)

A. N. JANARDANAN, Presiding Officer

Witnesses Examined

For the 1st Party/Petitioner Union : None

For the 2nd Party/Management : None

Documents Marked

On the Petitioner's side

Ex.No.	Date	Description
EX.W1	20-12-2001	Order of Suspension
Ex.W2	8-12-2002	Charge Memo
Ex.W3	4-03-2002	Reply to the Charge Memo
EX.W4	16-06-2003	Second Charge Memo for the same charge
EX.W5	17-07-2003	Reply to the Second Charge Memo
EX.W6	11-03-2004	Third Charge Memo for the same charge
EX.W7	10-3-2004	Reply to the 3rd Charge Memo
Ex.W8	10-03-2004	Order for Disciplinary Enquiry

EX.W9	13-03-2004	Reply to the Enquiry Notice
Ex.W10	27-03-2004	Intimation regarding the enquiry
Ex.W11	2-4-2004	Reply to that intimation
Ex.W12	7-4-2004	Representation given by the petitioner
EX.W13	30-7-2004	Letter sent by the DR to Disciplinary Authority
Ex.W14	30-7-2004	Defence brief submitted by the DR
EX.W15	15-12-2004	Letter from the Respondent
EX.W16	15-02-2004	Letter from the Respondent
Ex.W17	20-12-2004	Reply to that letter
Ex.W18	4-1-2005	Letter from the Respondent
EX.W19	13-1-2005	Reply given by the petitioner
Ex.W20	12-2-2005	Reply from the Respondent
Ex.W21	15-2-2005	Letter from the 2nd Enquiry Officer
EX.W22	2-4-2005	Letter from the management alongwith enquiry report
EX.W23	10-4-2005	Letter sent by the petitioner
EX.W24	13-4-2005	Letter issued by the petitioner counsel
Ex.W25	15-4-2005	Letter from the Management
Ex.W26	18-4-2005	Letter issued by the petitioner counsel alongwith the copy of the order in WP: 12183 of 2005
Ex.W27	-	Prosecution brief submitted by the Respondent
EX.W28	26-4-2005	Comments to the enquiry report
EX.W29	6-10-2005	Additional comments to the enquiry report
Ex.W30	28-11-2005	Letter from the Disciplinary Authority with proposed punishment
Ex.W31	8-12-2005	Letter given by the petitioner during the personal hearing
Ex.W32	29-12-2005	Order of reinstatement
EX.W33	29-12-2005	Order of the Disciplinary Authority
Ex.W34	3-02-2006	Appeal against the order dated 29-12-2005
Ex.W35	21-04-2006	Order of the Appellate Authority.
On the Management's side		
Ex.No.	Date	Description
Ex. M 1	12-9-2005	Copy of order of High Court at Madras in W.P. 12183/05

- Ex. M2 15-12-2001 Statement made by Thangavelu before Investigating Official
- Ex. M3 4-3-2002 Letter of Thangavelu to The Chief Manager, Chennai Main Branch
- Ex. M4 - Enquiry Proceedings
- Ex. M5 - Minutes of proceedings in enquiry.

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 168.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार डब्ल्यू. सी. एल. के प्रबंधक के सर्वद्वय नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 101/2004) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-22012/107/89-आई आर (सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 168.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 101/2004) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 20-12-2011.

[F.No. L-22012/107/89-IR (C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI J.P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/101/2004 Date: 9-12-2011

Party No. 1 : The Sub Area Manager,
Ghuggus Sub Area of WCL
PO: Ghuggus, Distt. Chandrapur (MS)

Versus

Party No. 2 : Shri Soper Chandrayya, Shot Firer
C/o. Habib Patel, Nakoda Incline No. 3
Ghuggus Sub Area, Distt. Chandrapur
(M.S.)-442909

AWARD

(Dated: 9th December, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and Shri Soper Chandrayya, for adjudication, as per letter No. L-22012/107/89-IR (B-II) dated

9-1-90, with the following schedule:—

"Whether the action of the management of Ghuggus Colliery of M/s. WCL in terminating services of Shri Chandrayya, Shot Firer of Nakoda Incline w.e.f. 1-6-1982 is justified? If not, to what relief the workman concerned is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the workman, Shri Soper Chandrayya, ("the workman" in short) filed his statement of claim and the management of the WCL ("Party No. 1" in short) filed its written statement.

The case of the workman is that since May 1971, he was working as a permanent Shot Firer in Nakoda Incline No. 3 of Ghuggus Colliery and on 16-11-1981, he had gone to the forest to bring wood for repairing of his house, but while he was returning from the forest, on the way on the river bank, the bullock cart capsized, as a result of which, his right hand came under the cart and the wood loaded on the same and was broken and he was taken to the Government Hospital, Chandrapur by his family members and some villagers and during the treatment, his right hand was amputated and he underwent treatment in the Government Hospital, Chandrapur from 16-11-1981 to 28-11-1981 and he was discharged from the hospital with the advise to take rest for one month and thereafter, he met the Manager of Ghuggus Colliery, but he was not allowed any duty and neither he was intimated the reason for the same nor any charge sheet was submitted against him and at last, he was intimated by the management that his services had already been terminated. The further case of the workman is that as he was a permanent employee, without any show cause or charge sheet and without any departmental enquiry, his services should not have been terminated and the management of the colliery willfully violated the Certified Standing Orders and also the provisions of Section 25-F of the Act, which is completely illegal. The workman has prayed for setting aside the order of termination and to reinstaie him in service with continuity and full back wages.

3. The party No. 1 in its written statement has pleaded inter-alia that the workman, who was working as a Shot Firer in Nakoda Incline remained absent without leave or permission from 16-11-1981 and therefore, he was issued with a charge sheet on 8-12-1981 and the workman submitted his reply to the charge sheet, but the same was found unsatisfactory and the workman in his reply admitted about the fact of remaining absent without leave and using explosive without permission and a Shot Firer, when remains absent without leave, the production and working of the colliery suffers adversely and the workman during the enquiry admitted the charges and about losing his right hand due to the explosive accident outside and use of explosive without permission of the competent authority and he was unable to explain the source of explosive, which

he used for hunting wild pig and due to his admission of his incapability of performing duty of Shot Firer by letter dated 1-6-1982, he was informed that his services would stand automatically terminated from 1-6-1982 with reasons for the same and the workman accepting the position, did not make any demand for employment and he was fully aware of the fact that he was physically incapable of doing the work for which he was employed. The further case of party no. 1 is that a highly belated dispute was raised by the workman after several years and it was greatly prejudiced in defending the case because of the delay of seven years in raising the dispute and the services of the workman was terminated after due and proper enquiry and the workman admitted the misconduct and if it is held that the enquiry was not proper and legal, the management be permitted to lead evidence. The party no. 1 has also pleaded that the workman is not entitled to the relief of reinstatement, as he is physically unfit to hold the post of Shot Firer and as the reference is highly belated, the question of giving any relief from the date of termination till the date of reference also doesn't arise and the workman is not entitled for any relief.

4. It is necessary to mention here that the validity of the departmental enquiry was taken into consideration as a preliminary issue and as per order dated 19-6-2009, it was held that the departmental enquiry is vitiated and the party No. 1 was directed to prove the charge before this Tribunal by adducing evidence. It is also necessary to mention here that the management filed an application to take the evidence already adduced at the time of considering the validity of departmental enquiry as evidence on merit.

5. Perused the pleadings of the parties and the evidence adduced, both oral and documentary including the evidence of J.R. Sharma, the witness for the management and also considered the arguments advanced by the parties. In his evidence, J. R. Sharma has stated that the workman remained absent unauthorisedly w.e.f. 16-1-1981 and for that a show cause notice was issued to him asking to show cause as to why he should not be treated as deserter and another letter dated 18-3-1982, Ext. M-1 was issued by him, asking the workman to submit his explanation regarding his absence and the workman submitted his reply vide Ext. M-2, which was received by him on 25-3-1982 and in that letter, the workman had admitted that while using explosive in the forest, the explosive exploded, as a result of which he lost his right hand and he forwarded the explanation of the workman to the Sub Area Manager and the Sub Area Manager asked him to look into the matter on the ground of the workman handling explosive in violation of the Indian Explosive Act and on the basis of such direction, he conducted an enquiry and the workman admitted that he lost his hand in an outside explosive accident. However, in the cross-examination, he has admitted that he did not verify as to whether Ext M-2 had the LTI of the workman or not. The

evidence of the witness for the management, who has no personal knowledge as to how the right hand of the workman was amputated doesn't prove that the right hand of the workman was amputated due to any explosion. Management has failed to produce the original explanation submitted by the workman. Management has also not produce any document regarding the enquiry made by the witness for the management and that in the enquiry, the workman admitted about amputation of his right hand due to any explosion.

It is clear from the materials on record that the workman was prevented by sufficient cause from remaining absent from duty w.e.f. 16-11-1981. Hence, it is found that management has failed to prove the charge of unauthorized absence against the workman. In view of the failure of the management to prove the charge against the workman, the workman is entitled for reinstatement in service.

It is admitted by the workman himself in his evidence that to work as a Shot Firer, both hands are required and due to amputation of his right hand, he cannot work as a Shot Firer. In view of such facts, the workman cannot be reinstated as a Shot Firer. So he is entitled for reinstatement in service in any alternative job, which he is able to perform according to the decision of the management, with effect from 1-6-1982. In my considered view of the facts and circumstances of the case the workman is also entitled to 25% of the back wages from 1-6-1982 till the date of his reinstatement in service.

Hence, it is ordered:—

ORDER

The action of the management of Ghuggus Colliery of M/s. WCL in terminating services of Shri Chandrayya, Shot Firer of Nakoda Incline w.e.f. 1-6-1982 is unjustified. The workman is entitled for reinstatement w.e.f. 1-6-1982, but not as a Shot Firer, but any other alternative job, which he is able to perform according to the decision of the management. The workman is also entitled for 25% of the back wages from 1-6-1982 till the date of his reinstatement in service. The party no. 1, management of WCL is directed to give effect to the award within one month from the date of publication of the award in the Official Gazette.

J.P. CHAND, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 169.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार एफ.सी.आई. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण संख्या 2, चण्डीगढ़ के पंचाट (संदर्भ संख्या 28/2004) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-22012/243/2003-आई आर(सीएम-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 169.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 28/2004) of the Central Government Industrial Tribunal-cum-Labour Court No. 2, Chandigarh as shown in the Annexure in the Industrial Dispute between the management of Food Corporation of India and their workmen, received by the Central Government on 20-12-2011.

[No. L-22012/243/2003-IR (CM-II)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

IN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT-II, CHANDIGARH

Present : Sri A.K. Rastogi, Presiding Officer

Case No. I.D. 28/2004

Registered on 14/7/2004

The General Secretary, Food Corporation of India (Handling) Workers Union, 8654, Arakashan Road, Paharganj, New Delhi

Claimants

Vs.

The Sr. Regional Manager, Food Corporation of India, SCO No. 120-122, Sector 17-C Chandigarh

Respondent

APPEARANCES:

For the Workman : Sh. Amit Sharma

For the Management : Sh. K.K. Gupta

AWARD

Passed on November, 18, 2011

Central Government vide Notification No. L-22012/243/2003-IR(CM-II) Dated 28-6-2004, by exercising its powers under Section 10 sub-section (1) Clause (d) and sub-section (2-A) of the Industrial Disputes Act, 1947 (hereinafter referred to as 'Act') has referred the following Industrial dispute for adjudication to this Tribunal :—

“Whether the action of the management of Food Corporation of India, Kurukshetra in terminating the services of 29 Food Handling Workers of Pehwa w.e.f. 6-10-2001 is legal and justified? If not, to what relief are they entitled?”

The list of 29 affected food handling workers of Pehwa Depot is enclosed as Annexure of the reference order. It has been stated in the claim statement that Contract Labour System was abolished in Pehwa Depot of FCI by Haryana Government in 1985 and consequent upon the abolition of labour system the management of FCI introduced the departmentalized system and accordingly the 29 handling workers of the reference order were given

appointment by District Manager FCI Kurukshetra individually. Since 1991 to January 2001 there was no dispute among the management and the aforesaid workmen but, abruptly their services were terminated verbally w.e.f. 12-1-2001 without conducting any inquiry. A complaint of one Ram Chander and an enquiry report of a committee constituted by the management on this complaint and a criminal case filed by one of the workers Rajdev Sahni finds mention in the claim statement. It has been stated that the termination of the services of the workmen is against the principles of natural justice. The reinstatement of the workmen with full back wages and continuity of service has been claimed by the Union.

Claim was contested by the management. Inter alia it was pleaded that all the 29 food handling workers named in the list are still working with Food Storage Depot of FCI at Kaithal and therefore the claim of the workers' union that their services had been dispensed with is frivolous and baseless. It was disclosed in the reply that 67 contract labours including those working at Food Storage Depot Pehwa were departmentalized by the FCI in pursuance of the Notification of 1985. But somehow 29 contract labour working at FSD Pehwa did not turn up for departmentalization and in their place some fictitious persons by impersonating the names of the original contractual labour represented for their departmentalization and produced fictitious identity cards verified by one Sh. H.P Singh General Secretary of the workers' union. As such they were issued the appointment letters but in the name of the real persons. Subsequently one Ram Chander (mentioned in the claim statement) of another union made a complaint with documentary proof, to the effect that 29 persons by impersonating the name of the original workers were serving at Food Storage Depot Pehwa. In an inquiry those 29 fictitious persons admitted in writing that they were working by impersonation and also disclosed their real names which are detailed in the reply of the management. It has been stated by the management that there is no relationship of employer and employee between the management and the persons impersonating the real workmen. It has been further alleged that on knowing the factual position the fictitious persons were not allowed to work after 6-1-2001. On a subsequent complaint of some real workmen in a Criminal Court the management agreed to departmentalize them as they were found to be the real persons and consequently the criminal complaint as well as civil suit was withdrawn by them. The fictitious persons have no right to continue and as the persons named in Annexure 1 are still working with the FCI at Kaithal there is no industrial dispute between the management and these persons.

In reply to the written statement of the management, the union reiterated the facts already alleged by it.

In evidence, union examined one Satyanarayan Sahni S/o Shiv Lal Sahni who filed his affidavit, and his identity

card Exhibit W2. On behalf of management Satya Narayan Sahni with the parentage of Shivjee Sahni and 15 other workmen named in Annexure 1 of the reference were examined besides the statement of Sudeep Singh Regional Manager Food Corporation of India, Haryana Region. Some documents were also filed by the parties which will be referred at the proper place.

I have heard the learned counsel for the parties and have gone through the evidence on record. Interestingly the union claimant failed to produce in evidence any other workman of Annexure 1 of the reference order except one Satya Narayan Sahni whose name finds place in the Annexure 1 at Serial No. 28. He has produced his identity card W2 also. In his cross-examination he denied the suggestion of the management that identity card W2 is forged one and Satya Narayan Sahni is the name of somebody else. He denied that his father's name is Sokhi Yadav. It may be mentioned here that as per details given in the written statement the Committee constituted by the management for enquiry of the allegation of working of some persons under fictitious name found one Ram Updesh S/o Sokhi Yadav working impersonating himself as Satya Narayan Sahni. The witness has no other proof to establish his identity. Against it the management witness MW1/I Satya Narayan Sahni S/o Shiv Lal Sahni has produced the copies of his domicile certificate, character certificate, caste certificate, voter list, ration card and two registered documents of transfer of immovable property referred to Exhibit R2/4, R2/10 in the affidavit of the witness. In his affidavit he has stated that he is the real incumbent working in the FCI.

Interestingly the claimant did not cross-examine the witness despite the opportunity given to him. His identity was not challenged. In view of this fact, obviously the statement of workman witness Satya Narayan Sahni W1 cannot be relied upon. All other workmen who have filed their affidavits on behalf of management have stated in their affidavit that they had been employed by the management during the pendency of a case in Kurukshetra Court and they are working in FCI and getting pay. They also stated that their name parentage and address is correct and it is recorded in the records of management also. Except one Upendra Sahni none other workman was cross-examined on behalf of the claimant. In case of Upendra Sahni too his identity was not challenged during cross-examination by the claimant union.

As stated above the workman alleged by the claimant union to have been effected by termination did not turn up to espouse their grievance. Instead 16 of them appeared in the witness-box in support of the management's case that the workmen named in Annexure 1 of the reference are actually working with the Department and there is no dispute between the management and the 29 workmen mentioned in Annexure 1 of the reference.

It was argued on behalf of claimant union that the Inquiry Committee is alleged to have been constituted on

the complaint of one Ram Chandra and the Committee found the existence of fictitious persons impersonating the real workmen. But the said Ram Chandra complainant did not appear before the Committee and in fact there was no person of his name. I don't find any weight in the argument to support the case of claimant union. The fact remains that the workmen named in Annexure 1 are working with the Department and on an inquiry it had been found that some fictitious persons were working with the Department impersonating the real workmen. It is immaterial as to how this fact came to knowledge of the management and who brought it to its notice. Such action can be taken on the basis of an anonymous complaint even. The non-existence of complainant cannot destabilize the established facts.

From the above going discussion it is clear that the management had not terminated the services of the workmen listed in Annexure 1 of the reference order and there is no industrial dispute between the management of FCI and these workmen. The reference is accordingly answered against the claimant union. Let two copies of the award be send to Central Government for further necessary action.

ASHOK KUMAR RASTOGI, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011.

का.आ. 170.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या 131/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-22012/217/98-आई आर(सी-II)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 170.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No.131/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL, and their workman, which was received by the Central Government on 20-12-2011.

[No. L-22012/217/98-IR(C-II)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

**BEFORE SHRI J. P. CHAND, PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/131/2000

Date : 9-12-2011

Party No. 1 : The Sub Area Manager,
WCL, Ballarpur Colliery,
PO : Ballarpur, Distt. Chandrapur

Versus

Party No. 2 : The President,
Koyla Shramik Sabha (HMS), Miners
Qtr. No. 58/1, Ballarpur Colliery,
PO: Ballarpur, Distt. Chandrapur (M.S.)

AWARD

(Dated, 9th December, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of WCL and Shri Namdeo S. Kakde, to CGIT-cum-Labour Court, Mumbai-2, for adjudication, as per letter No. L-22012/217/98-IR (CM-II) dated 28-4-1999, with the following schedule:—

"Whether the action of the management of Ballarpur Colliery of WCL in dismissing Sh. Namdeo S. Kakde from services is legal and justified? If not, to what relief the workman is entitled?"

Subsequently the case was transferred to this Tribunal for disposal in accordance with law.

2. On receipt of the reference, the parties were noticed to their respective statement of claim and written statement and accordingly, the Union, "Koyla Shramik Sabha (HMS)" ("the union" in short) filed the statement of claim on behalf of the workman Shri Namdeo S. Kakde, ("the Workman" in short) and the management of Sub Area Manager, Ballarpur Colliery of WCL ("Party No. 1" in short) filed its written statement.

The case of the workman as projected by the union in the statement of claim is that the workman was appointed as a Timber mazdoor in the year 1974 and posted at 3 and 4 pits of Ballarpur colliery and worked honestly and faithfully and in September 1992, the workman suffered from chronic duodenal ulcer and anemia and he was admitted in the hospital of one doctor Bongirwar and remained under his treatment from 10-9-1992 to 15-8-1995 and as there was no remarkable recovery from the treatment of Dr. Bongirwar, the workman was shifted to the nursing home of Dr. R. D. Sonkamble and was admitted there from 15-8-1995 to 20-11-1996 and he was declared fit to resume his duties w.e.f. 21-11-1996 and during the period of his illness, he had sent his wife to Ballarpur Colliery to intimate about his illness, but the officers of Ballarpur Colliery did not pay any attention to her and sent her back without any action and as he was illiterate, he had no other source to communicate with the employer and after complete recovery from his illness, when he went to resume his duties, he was not allowed to join his duties, on the contrary, the letter bearing ref. no. WCL/BA/BC/38/4524 dated 16-9-1995 was handed over to him on 21-11-1996 and from the said letter, he came to know that he had been removed from services. The further case of the workman is that thereafter he submitted number of applications to the management of Ballarpur Colliery with request to allow him to join his

duties, but his request failed to the deaf ears of the management and the management did not give any reply to his letters and as such, he approached the union and the issue was raised by the union for discussion and despite production of all the medical certificates showing his illness and treatment, the management did not allow him to join duties and as such, the matter was raised before the ALC. The further case of the workman is that under the rules governing the services of the employees, an employee cannot be removed from services without affording him an opportunity to explain the charges and if an employee satisfactorily explains the charges levelled against him, then the employer has no other alternative except to allow him on duty, otherwise a regular domestic enquiry is required to be held by the employer to prove the charges levelled against the employee and in case the charges are proved in the enquiry, then only, the employer is entitled to impose punishment according to the standing orders, but in his case, no notice of any nature or any charge sheet was issued against him and there had been no enquiry of whatsoever nature instituted or commenced against him and when an employee remains absent for a considerable long period of time, without any intimation, as per the rules, a charge sheet or a notice is required to be served on the concerned employee by registered post with acknowledgement due in his permanent address as given in form 'B' register, which is filled in at the time of joining of his service and in case of non-service of the letter, due to the reason of non-availability of the addressee, then the notice is required to be published in the news paper, calling upon the employee to resume his duties within a specified period and in the event of failure of the employee to resume duties, then only, the employee is liable to be declared as a deserter and such procedure was not adopted in his case and his removal from services without any notice or charge sheet or enquiry is high handed, illegal and arbitrary act of the employer and as such, the same is untenable and liable to be set aside. The union had prayed to set aside the order passed on 16-9-1995 and to reinstate the workman in service with continuity and full back wages.

3. The party no.1 in its written statement has pleaded inter-alia that the workman was appointed as a Timber mazdoor on 18-11-1974 in Ballarpur colliery 3 & 4 pits and he was a habitual absentee and he was issued with several charge sheets and warning letters during the last five years before termination of his services vide order dated 16-9-1995 of the Superintendent of Mines, Ballarpur Colliery, 3 & 4 pits. The further case of the party No.1 is that the workman remained absent for more than 3 years without any application and as such, the management was within its rights to terminate the services of the workman, who was not at all interested in the job and the domestic enquiry in such cases are not warranted and as such, the workman is not entitled for any relief.

4. Party no.1 by way of additional written statement has pleaded that in the facts and circumstances prevailing

at the time of taking action against the workman, there was no need to issue a charge sheet and to conduct a departmental enquiry and in case, it is found by the Tribunal that an enquiry was necessary before termination of the services of the workman, then, it be permitted to lead evidence to prove the charges against the workman.

4. A Both the parties adduced oral evidence in support of their respective claims. The union filed the evidence of the workman on affidavit in support of the claim. The evidence of the workman remained unchallenged, as he was not cross examined by the management.

One Arun Kumar Sinha, a senior under manager, WCL was examined as a witness by the party No. 1. The evidence of the witness for party no. 1 is in the same line of the stands taken by party no. 1 in the written statement. However, in his cross-examination, this witness has admitted that he doesn't know if the order of termination was received by the workman or not and before termination of the services of the workman, no charge sheet was submitted against him and no enquiry was also made.

5. Perused the record. It is the admitted case of the parties that the workman remained absent from services w.e.f. 10-9-1992 till 20-11-1996, without any application. It is also found from the documents that by office order dated 16-9-1995, the name of the present workman was removed from the colliery roll with immediate effect. It is also admitted that no charge sheet was issued by party No. 1 against the workman for remaining unauthorized absent for the period as mentioned above and there was no departmental enquiry against him. The order dated 16-9-1995 shows that the name of the workman was removed from the roll of the colliery on the ground of his remaining absent unauthorizedly for more than three months.

6. At the time of argument, it was submitted by the learned advocate for the party no. 1 that where the ground of discharge is continuous absence of the employee and his inability to do work, no purpose would be served by a formal charge delivered to him and the workman was a habitual absentee and he was not working efficiently and therefore, the removal of his name from the roll of the company cannot be said to be without reasonable cause. In support of such contentions, reliance has been placed by the learned advocate for the party no. 1 on the decisions reported in AIR 1957 SC-38 (Burn and Company Vs. Their Employee), 1995 1 L.L.J.-1065 (A.M. Eashwarachar vs. Executive Engineer (Electrical)), 2003 (3) MPHT 257 [Eveready Industries (I) Ltd. Vs. Shri P. S. Parihar], (2005) 5 SCC-337 (Vivekanand Shetty Vs. Chairman J & K Bank Ltd.), (2008) 3 SCC-446 (New India Assurance Co. Ltd. Vs. Bipin Bihari Lal Srivastav), (2001) 1 SCC-424 (Indian Iron & Steel Co. Ltd. Vs. Pralhad Singh), 1997 II. L.L.J.-100 (Hindustan Paper Corpn. Vs. Purnendu Chakraborty), 1998 (1) L.L.N. 710 (Anna Transport Corpn. Vs. Labour Court Salem) and 2001 LLR- 1180 (NRC Ltd. Vs. NRC Employee Union).

7. On the other hand, it was submitted on behalf of the workman that as the name of the workman was removed from the roll of the party No. 1, without following the procedures as provided, under the standing orders, which govern the service conditions of the employees of WCL, the same is illegal and not sustainable in the eye of law and as such, the workman is entitled for reinstatement in service with continuity and full back wages.

8. The Standing Orders in respect of WCL apply to all workmen employed in all the units of WCL situated in different places in the country and include all workmen governed by the National Coal Wage Agreement. Clause 26 of the said Standing Orders provides what denote misconduct and according to clause 26.30, absence from duty without sanctioned leave or sufficient cause or overstaying beyond 10 days after sanctioned leave is a misconduct. Clauses 27 and 27.1 of the Standing Orders provide the punishments and penalties which may be imposed for misconduct. Clause 28 provides the procedure for imposition of penalties. Clause 28.1 of the Standing Orders provides that where an employee is charged with a misconduct, he shall be informed in writing of the allegations against him by the competent authority and shall be given an opportunity to submit his explanation in writing within a period of not less than three days and on receipts of a workman's explanation when allegations are denied by him, an enquiry shall be held normally by an officer of the company appointed by the management and at the enquiry, the workman concerned shall be afforded reasonable opportunity of defending himself and the workman concerned shall be entitled to be represented or assisted by a co-worker or officer bearer of a trade union of which he is a member, if so requested by him during the enquiry. It is clear from the provisions of the Standing Orders applicable to the employees of WCL as mentioned above that for imposition of penalties for the misconduct of remaining unauthorized absent, it is necessary to give a charge sheet in writing against the employee and to initiate a departmental proceeding to enquire into the charges, in case the employee doesn't admit the charges. In this case, it is admitted by the party no.1 that no notice was sent or served on the workman for remaining unauthorized absent and there was also no departmental enquiry. Party No.1 has failed to show any provision either in the Standing Orders or any other law applicable to the employees of WCL that the management is authorized to remove the name of an employee from the roll of the management for remaining unauthorized absent for more than 3 months, without show cause or initiation of the departmental proceedings. Hence, the removal of the name of the workman from the roll of the WCL without any notice or charge sheet and in absence of any departmental enquiry is found to be illegal and unsustainable in the eye of law.

9. From the materials on record, it is found that the workman was remaining absent from duty unauthorizedly and for that he had been warned several times. It is also

found from record that the workman remained absent from duty from 10-9-1992 to 20-11-1996, due to his ill health and he was under medical treatment during that period. Hence, the removal of the name of the workman from the roll of WCL Ballarpur Area is not proper.

10. With respect, I am of the view that the decisions cited by the learned advocate for the party no. 1 have no direct application to the present case at hand, as the facts and circumstances of the cases referred in the above decisions are quite different from the facts and the circumstances of the case at hand.

11. In view of the discussions made above and the materials on record, it is found that the workman is entitled for reinstatement in service w.e.f. 21-11-1996. The workman is also entitled to get 25% of back wages w.e.f. 21-11-1996 till the date of his reinstatement in service. Hence, it is ordered:

ORDER

The action of the management of Ballarpur Colliery of WCL in dismissing Sh. Namdeo S. Kakde from services is illegal and unjustified. The workman is entitled for reinstatement w.e.f. 21-11-1996 and to get 25% of back wages w.e.f. 21-11-1996 till the date of his reinstatement of his service. The workman is not entitled for any other relief. The party no. 1, management of WCL is directed to give effect to the award within one month from the date of publication of the award in the official gazette.

J.P. CHAND, Presiding Officer

नई दिल्ली, 20 दिसम्बर, 2011

का.आ. 171.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी. लिमिटेड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं. 2 के पंचाट (संदर्भ संख्या 47/1996) को प्रकाशित करती है जो केन्द्रीय सरकार को 20-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/120/1995-आई आर(सी-1)]
डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 20th December, 2011

S.O. 171.—In pursuance of Section 17 of the Industrial Disputes Act, 1947(14 of 1947), the Central Government hereby publishes the Award (Ref. No.47/1996) of the Central Government Industrial Tribunal-cum-Labour Court-2 Dhanbad as shown in the Annexure in the

Industrial Dispute between the employers in relation to the management of M/s. C.C.Ltd. and their workman, which was received by the Central Government on 20-12-2011.

[No. L-20012/120/1995-IR (C-1)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL(No.2) AT DHANBAD

PRESENT

Shri Kishori Ram, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 47 of 1996

Parties : Employers in relation to the management of Kathara Colliery of M/s. C.C.Ltd. and their workman

APPEARANCES:

On behalf of the Workman : None

On behalf of the employers : Mr. D.K. Verma,
Advocate

State : Jharkhand

Industry : Coal

Dated, Dhanbad, the 7th December, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their order No. L-20012/120/95-I.R.(Coal-I) dated, 4-4-96.

SCHEDULE

“Whether the action of the management of Kathara Colliery of M/s. C.C. Ltd., in not protecting the pay of Sri Tilku Das of Group-V Wages and non-payment of 30 days V.D.A. while fixing the pay after promotion to the post of Security Guard is justified? If not, to what relief the workman is entitled?”

2. The case of the workman as sponsored by the Union concerned is that workman Tilku Das had been getting Group-V wages and V.D.A. for thirty days since his appointment as permanent piece-rated worker on 17-10-71. The Management though regularised/promoted him as Security Guard, and posted at Sounda Colliery of M/s. N.C.D.C. on 1-11-1974, yet suddenly began to pay his the minimum basic of the Security Guard without protection of his group wages, as well also 26 days in place of 30 days V.D.A which were prejudice to his basic wages for which

the Management had liability to fix his basic wage as workman under protection of his Group-V wages as per law and its own circular and policy decision. After the assurance of the Management for its favourable decision awaited since long over his several representations for it, the industrial dispute lastly raised before the ALC (C), Hazaribagh for amicable settlement also resulted in its failure for the adamant attitude of the Management, hence the reference for adjudication. Thus the aforesaid action of the Management in not protecting his basic wages of Group-V wages etc. was not only unjustified and illegal but also vindictive and anti labour policy. It has been claimed for the fixation of his basic protected wages and its consequential benefits with retrospective effect.

The workman himself in his rejoinder with categorical denials pleaded that he was getting 30 days V.D.A in a month prior to his promotion as Security Guard when he immediately objected to illegal payment and deduction, the Management misassuredly advised him to patiently wait as per its notesheet.

3. Whereas the pleaded case of the Management with specific denials is that workman Tilku Das was working at Selected Dhori Colliery as piece-rated worker while its take over w.e.f. 31-1-1973 under the Coal Mines (Taking over Management) Act, 1973. The NCDC after take over of the colliery later on became M/s. Central Coalfields Ltd. Piece-rated workers performing the job of removing overburden of earth/soil and of shale, stone etc. came under Group I and II. The workman as a piece rated overburden remover for earth cutting could be fit in the group as per the wage Board recommendation applicable since the nationalisation from 1-5-1973, but the small collieries including selected Dhori Colliery related to pencast did not implement the recommendation, as it was not required to supply coal to the Steel Plant on the Railways. So the Management placed the workman in Group I later on at his request, regular workman as Security Guard in the monthly scale for Peon, Guards etc. He received more than that he used to get under the Minimum Wages Act as piece rated worker for removal of overburden. So there was full protection of his wages. The employees working under NCDC while the collieries were under Railways, get wages as per C.P.C. and V.D.A was for 30 days in a month. But as per the Wage Board Recommendation, 26 working days are for monthly and accordingly a daily rated wage divisible by 26 days, and the V.D.A was paid only for 26 days, in a month. The workman was never on roll of NCDC in CPC, rather he was a workman of a private colliery. He was regularised as Security Guard in 1974, but the dispute being raised much belatedly in 1995 is legally unmaintainable. So the workman is not entitled to any relief.

Finding with Reasoning

4. In this reference, WW-1 Tilku Das, the workman himself in behalf of the Union, and MW-1 J. Bara as personnel Manager for the Management have been examined.

According to the statement of workman Tilku Das (WW-1) the management used to pay him as Minor/Loader the wages of Group-V @ Rs. 6.75 per day as Ext. W-1 (the certificate dated 2-12-88 issued by Sr. P.O/K.P) since his appointment on 17-10-71 at Selected Dhori Colliery but on since 1-11-74, the Management changed his designation as Security Guard reducing his wages to Rs. 5.40 per day without notice. He states that the other Security Guards are entitled to get V.D.A for 30 days but the management allowed him V.D.A for 26 days. But the very admission of the workman that the original of Ext. W-1 lying at his home, and bearing not any office seal, that the order was issued on the pad of Kalyani Project, but he was not under the Kalyani Project in the year 1988 (while the aforesaid order/certificate was issued to him) disprove his claim for V.D.A for 30 days, as he did not prove any paper to show it.

5. Whereas MW-1 J. Bara as the Personnel Manager has affirmed that the workman initially as a piece rated worker was subsequently converted to monthly rated worker in 1977. He (MW-1) also asserted that monthly workers are entitled to draw D.A. for 26 days in a month and in case they remain on leave for a day, their salary is calculated out of same 26, after deduction of one day, and their balance amount is paid. Previously the workman never challenged the status of his conversion of monthly rated worker.

6. The workman Tilku Das himself appeared and tried to justify his claim as justified. But D.K. Verma, Learned Advocate for the Management contends that D.A. is a part of the wages, and it is admissible for the days work done for 26 days only, so payment of 30 days V.D.A. is not usually justified claim, moreover, so far as the pay protection the workman has not discharged what disparities of his wages, and the date of fixation of wages except Ext. W-1 the photo copy of the letter dt. 2-12-88 of Kalyani Project which is itself inadmissible in view of his admission about his non-posting there at the relevant time.

7. On the perusal of the materials in the case record, I find the workman has failed to prove his case with any reliable documents in support of his claim. Hence, it is hereby held that the action of the Management of Kathara Colliery of M/s. C.C. Ltd. in not protecting the pay of Sri Tilku Das of Group-V wages and non-payment of 30 days V.D.A while fixing the pay after promotion to the post of Security Guard is quite justified in lack of his proof, so he is not at all entitled to any relief,

KISHORI RAM, Presiding Officer

नई दिल्ली, 21 दिसम्बर, 2011

AWARD

का.आ. 172.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार पूर्व रेलवे के प्रबंधन के संबंधित नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता के पंचाट (संदर्भ संख्या 02/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-12-2011 प्राप्त हुआ था।

[सं. एल-41011/12/2001-आईआर (बी-1)]
रमेश सिंह, डेस्क अधिकारी

New Delhi, the 21st December, 2011

S.O. 172.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. 02/2002) of the Cent. Govt. Indus. Tribunal-cum-Labour Court, Kolkata as shown in the Annexure, in the industrial dispute between the management of Eastern Railway and their workmen, received by the Central Government on 21-12-2011.

[No. 41011/12/2001-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT KOLKATA

Reference No. 02 of 2002

Parties : Employers in relation to the management of
The Sr. Div. Commercial Manager, Eastern
Railway, Asansol Division, P. O. Asansol

AND

Their workmen.

Present : Mr. Justice Manik Mohan Sarkar ... Presiding
Officer

Appearance :

On behalf of the : Mr. M. K. Ghosh, CTI,
Management Eastern Railway, Asansol.

On behalf of the : Mr. R. V. K. Singh Vhati,
Workmen General Secretary of the
workmen union.

State : West Bengal. : Industry : Railway.

Dated : 12th December, 2011

By Order No. L-41011/12/2001-IR (B-1) dated 25-01-2002 the Government of India, Ministry of Labour in exercise of its powers under Section 10(1)(d) and (2A) of the Industrial Disputes, Act, 1947 referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Eastern Railway, Asansol in not deploying S/Shri Shyam Babu Paswan & 249 others (List enclosed Annexure A1 and 2) licensed porters in the work of handling of Railway Parcel is justified ? If not, what relief the concerned licensed porters are entitled ?”

2. When the case is called out today, none is found to be present on behalf of either of the parties.

3. In the present matter it is found that fresh notices were issued to the respective parties on 22-07-2010 and the acknowledgement cards received back show that both the notices were served upon the respective parties on 26-07-2010. Several dates were adjourned thereafter and on none of the dates either of the parties appeared even after service of notice. On perusal of the previous order in this regard it is found that the conduct of the respective parties is not satisfactory since they have stopped appearance since 13-12-2007, in course of tenure of my learned predecessor in chair.

In such circumstances, I do not think it proper to drag this matter any more since the parties, specially the workmen side did not show any interest to proceed with the matter and by their conduct it is presumed that the industrial dispute raised earlier, perhaps is not subsisting. So, let the present matter be disposed of with a “No Dispute Award”.

An Award is passed accordingly.

JUSTICE MANIK MOHAN SARKAR, Presiding Officer

Kolkata Dated, the 12th December, 2011

Reference

ANNEXURE-A1

(1) LIST OF THE LICENSED PORTERS

SL.	NAMES	RLY. RADGE No.	FATHER'S NAME
(1)	(2)	(3)	(4)
01.	Shree Gango Shaw	999	Damri Shaw
02.	" Manki Shaw	948	Hiraman Shaw
03.	" Nageshwar Shaw	796	Kamal Shaw
04.	" Dwarika Shaw	928	Churaman Shaw
05.	" Mohan Shaw	820	Bigan Shaw
06.	" Ramlakhan Shaw	864	Sukar Shaw
07.	" Jai Ram Shaw	893	Tulo Shaw
08.	" Niranjan Shaw	855	Chhatoo Shaw
09.	" Tukan Shaw	804	Doman Shaw
10.	" Chetawan Shaw	861	Mahabir Shaw
11.	" Hulash Shaw	860	Sukar Shaw
12.	" Sani Char Shaw	908	Deva Shaw
13.	" Inder Shaw	807	Doman Shaw
14.	" Mahesh Shaw	811	Doman Shaw
15.	" Kunjit Shaw	937	Late Ramdhani Shaw
16.	" Sukhdev Shaw	870	Anup Shaw
17.	" Baldew Shaw	856	Mangru Shaw
18.	" Samlal Shaw	910	Lito Shaw
19.	" Madho Shaw	758	Late Shamer Shaw
20.	" Lalo Shaw	825	Ghri Shaw
21.	" Lalo Shaw	827	Janki Shaw
22.	" Naro Shaw	828	Todi Shaw
23.	" Dilchand Shaw	974	Dhaman Shaw
24.	" Rabindra Shaw	919	Dokhi Shaw
25.	" Gamahir Shaw	813	Chohan Shaw
26.	" Kishun Shaw	849	Motee Shaw
27.	" Karu Shaw	824	Fagu Shaw
28.	" Mahru Shaw	818	Late Biltu Shaw
29.	" Lakhun Shaw	800	Late Biltu Shaw
30.	" Fusri Shaw	791	Late Shomer Shaw
31.	" Bodhi Shaw	789	Late Bali Shaw
32.	" Makhu Shaw	840	Late Shamar Shaw
33.	" Rohan Shaw	809	Late Churaman Shaw
34.	" Pito Shaw	963	Late Balo Shaw
35.	" Charan Shaw	884	Late Jebi Shaw

(1)	(2)	(3)	(4)
36.	Shree Kharakdhari Shaw	943	Late Todi Shaw
37.	" Tejo Shaw	814	Late Amrit Shaw
38.	" Mahendra Shaw	969	Late Mohan Shaw
39.	" Dhoneshwar Shaw	832	Late Dilo Shaw
40.	" Ruplal Shaw	834	Late Tipu Shaw
41.	„ Ruplal Shaw	822	Late Kesho Shaw
42.	„ Ritlal Shaw	939	Late Vikho Shaw
43.	„ Mahadev Shaw	753	Kishun Shaw
44.	„ Shyamlal Shaw	944	Tanki Shaw
45.	„ Horil Shaw	768	Nam Dhari Shaw
46.	„ Dinesh Shaw	802	Baiju Shaw
47.	„ Ram Kishan Shaw	790	Hiraman Shaw
48.	„ Tulu Shaw	903	Tokhan Shaw
49.	„ Joban Shaw	767	Beni Shaw
50.	„ Dershan Shaw	846	Kheman Shaw
51.	„ Talo Shaw	797	Mangal Shaw
52.	„ Umesh Mandal	987	Ram Khelawan Mandal
53.	„ Arjun Mondal	950	Shadev Mondal
54.	„ Prakash Roy	862	Chano Roy
55.	„ Sadanand Mondal	869	Bino Mondal
56.	„ Geeta Mondal	837	Sarjugh Mondal
57.	„ Jouala Mondal	934	Rajnath Mondal
58.	„ Md. Muslim	981	Shafique Mian
59.	„ Janardhan Yadav	882	Bhunna Yadav
60.	„ Ram Ashree Mondal	984	Ram Avtar Mondal
61.	„ Sahindra Kumar	925	Sarju Mondal
62.	„ Ganesh Yadav	766	Kalu Yadav
63.	„ Rajendra Mondal	998	Baij Nath Mondal
64.	„ Vishonath Mondal	874	Nepali Mondal
65.	„ Shiv Balak Mondal	953	Punit Mondal
66.	„ Ram Sharan Mondal	904	Daragi Mondal
67.	„ Jai Nandan Pd. Mondal	838	Bindeswar Mahato
68.	„ Ramjeet Rawat	812	Basudev Rawat
69.	„ Sunaina Yadav	913	Kishun Yadav
70.	„ Shankar Singh	782	Nand Kishor Singh
71.	„ Ram Charitra Yadav	778	Benarsi Yadav
72.	„ Badan Rauth	843	Kishun Routh
73.	„ Sahdev Mondal	985	Dhani Mondal
74.	„ Hari Shaw	831	Arjun Shaw
75.	„ Punit Yadav	935	Ganga Yadav
76.	„ Suresh Yadav	906	Karu Yadav
77.	„ Radhe Yadav	852	Dhori Yadav

(1)	(2)	(3)	(4)
78.	Shree Khako Rawat	976	Bhago Rawat
79.	,, Pholeshwar Yadav	854	Karu Yadav
80.	,, Mushahro Yadav	924	Sitabi Yadav
81.	,, Narayan Yadav	901	Mohan Yadav
82.	,, Gaja Yadav	839	Bhikhari Yadav
83.	,, Baldev Yadav	991	Titoo Yadav
84.	,, Tirloke Yadav	881	Dorik Yadav
85.	,, Dwarik Yadav	920	Ratan Yadav
86.	,, Md. Umesh Mian	860	Md. Rasul Mian
87.	,, Dharmendra Tant	801	Etwari Tanti
88.	,, Chhattar Yadav	995	Jagdish Yadav
89.	,, Lukman Mian	865	Noor Md.
90.	,, Arjun Yadav	933	Bhatoo Yadav
91.	,, Dhirendra Rawat	847	Charittar Rawat
92.	,, Jaddu Mondal	819	Jugal Mondal
93.	,, Radhe Rawat	853	Sitaram Rawat
94.	,, Md. Yaqoob	868	Khalil Mian
95.	,, Bhopali Yadav	875	Shyama Yadav
96.	,, Inderdev Yadav	938	Sevak Yadav
97.	,, Naresh Yadav	973	Dhani Yadav
98.	,, Moti Yadav	909	Bali Yadav
99.	,, Ashok Mondal	816	Mathura Mondal
100.	,, Bhagwan Tanti	950	Ram Tanti
101.	,, Ramdeo Paswan	952	Mishri Paswan
102.	,, Bahadur Paswan	762	Baldeo Paswan
103.	,, Shiv Paswan	988	Dhori Paswan
104.	,, Shiva Kumar Paswan	941	Kameshwar Paswan
105.	,, Opendra Paswan	949	Laloo Paswan
106.	,, Shiv Nandan Paswan	957	Bhukan Paswan
107.	,, Brij Nandan Paswan	835	Misri Paswan
108.	,, Nand Kishar Paswan	787	Bhairo Paswan
109.	,, Dani Paswan	863	Hajari Paswan
110.	,, Ram Sohawan Paswan	879	Bhagwat Paswan
111.	,, Vijay Singh	773	Sahadev Singh
112.	,, Kameshwar Paswan	844	Brahndav Paswan
113.	,, Shya Saran Paswan	1000	Bihari Paswan
114.	,, Arvind Paswan	765	Nandi Paswan
115.	,, Rama Nand Paswan	923	Ganga Paswan
116.	,, Kishori Paswan	841	Gajadhar Paswan

(1)	(2)	(3)	(4)
117	Shree Narayan Paswan	851	Baij Nath Paswan
118.	„ Ram Keshwar Paswan	808	Darbari Paswan
119.	„ Shyam Paswan	940	Jagan Nath Paswan
120.	„ Karo Paswan	786	Goriwan Paswan
121.	„ Kedar Paswan	798	Munshi Paswan
122.	„ Balmeki Paswan	980	Mangal Paswan
123.	„ Dharamraj Paswan	830	Piyare Paswan
124.	„ Moni Lal Paswan	756	Goyadhar Paswan
125.	„ Subodh Singh	991	Doman Singh
126.	„ Paras Paswan	931	Ram Briksh Paswan
127.	„ Dev Nandan Paswan	896	Ram Dulare Paswan
128.	„ Ram Lakhan Paswan	982	Hari Paswan
129.	„ Nawal Paswan	873	Paryag Paswan
130.	„ Inder Dev Paswan	877	Charan Paswan
131.	„ Vinod Paswan	885	Ram Uchit Paswan
132.	„ Anil Singh	899	Basudev Singh
133.	„ Ram Saran Paswan	905	Mahabir Paswan
134.	„ Naresh Paswan	858	Ramdas Paswan
135.	„ Jogeshwar Ram	954	Bhotto Ram
136.	„ Bhagwan Paswan	900	Banwari Paswan
137.	„ Arun Singh	943	Naresh Singh
138.	„ Baccho Paswan	793	Baldev Paswan
139.	„ Mithlesh Paswan	890	Ram Chandra Paswan
140.	„ Raju Paswan	815	Dukhi Paswan
141.	„ Shree Basant Paswan	871	Gopal Paswan
142.	„ Suresh Paswan	774	Sanichar Paswan
143.	„ Anandi Paswan	918	Baldev Paswan
144.	„ Jogindra Das	964	Jagan Das
145.	„ Amrik Paswan	977	Ganga Paswan
146.	„ Ramjee Paswan	754	Wazir Paswan
147.	„ Ramvilas Paswan	826	Brahmdev Paswan
148.	„ Kapil Paswan	897	Brahmdev Paswan
149.	„ Inderdev Paswan	784	Ghamman Paswan
150.	„ Sudama Paswan	867	Dewari Paswan
151.	„ Ganauri Paswan	932	Laldhari Paswan
152.	„ Sadhu Paswan	902	Pakira Paswan
153.	„ Kedar Paswan	876	Mangal Paswan
154.	„ Devnandan Paswan	781	Devki Paswan
155.	„ Siddheswar Paswan	996	Misri Paswan
156.	„ Bilash Paswan	927	Chhatadardhari Paswan
157.	„ Laljee Paswan	803	Darogi Paswan

(1)	(2)	(3)	(4)
158.	Shree Ramdev Paswan	898	Totan Paswan
159.	,, Bhola Paswan	911	Lakhan Paswan
160.	,, Sarvesh Paswan	817	Gopal Paswan
161.	,, Arjun Das	886	Mahindra Das
162.	,, Sakal Paswan	889	Lokshman Paswan
163.	,, Ram Briksh Paswan	894	Kashi Paswan
164.	,, Kameshwar Paswan	845	Guthuk Paswan
165.	,, Arvind Singh	799	Jaddu Singh
166.	,, Kamlesh Paswan	914	Balkishor Paswan
167.	,, Ram Pahal Paswan	974	Jaladhar Paswan

ANNEXURE-A2

SL. No.	Name	Father's Name	Badge No.
(1)	(2)	(3)	(4)
01.	Sh. Hawaldar Yadav	Sh. Solkhan Yadav	972
02.	Sh. Ram Niwash Yadav	Sh. Ram Janam Yadav	997
03.	Sh. Nandji Yadav	Sh. Sipahi Yadav	805
04.	Sh. Ram Chandra Yadav	Sh. Ram Iqbal Yadav	946
05.	Sh. Kamlesh Yadav	Sh. Naresh Yadav	958
06.	Sh. Raju Yadav	Sh. Brahma Yadav	833
07.	Sh. Raja Ram Yadav	Sh. Jag Narayan Yadav	966
08.	Sh. Krishna Yadav	Sh. Jamuna Yadav	752
09.	Sh. Dadhiwal Yadav	Sh. Tengar Yadav	759
10.	Sh. Raja Ram Yadav	Sh. Tengar Yadav	915
11.	Sh. Jagdish Yadav	Sh. Ram Ashray Yadav	975
12.	Sh. Ram Ashre Yadav	Sh. Hare Nath Yadav	922
13.	Sh. Surendra Yadav	Sh. Pyare Yadav	895
14.	Sh. Jawahar Choudhry	Sh. Ram Kawal Choudhry	842
15.	Sh. Ram Prakash Yadav	Sh. Lal Mohar Yadav	992
16.	Sh. Badan Routh	Sh. Kishun Routh	843
17.	Sh. Kamlesh Yadav	Sh. Harakh Nath Yadav	751
18.	Sh. Raj Dhari Yadav	Sh. Raghuvir Yadav	757
19.	Sh. Gupteswar Yadav	Sh. Jamuna Yadav	760
20.	Sh. Rama Kant Yadav	Sh. Tileswar Yadav	857
21.	Sh. Sukhari Yadav	Sh. Baij Nath Yadav	912
22.	Sh. Bali Ram Yadav	Sh. Mushafir Yadav	955
23.	Sh. Chhatu Choudhry	Sh. Shri Ram Choudhry	872
24.	Sh. Ganga Sagar Yadav	Sh. Ram Chandra Yadav	978
25.	Sh. Raj Kishor Ray	Sh. Ganpati Ray	821
26.	Sh. Satya Narayan Kurmi	Sh. Sita Ram Kurmi	774
27.	Sh. Vyash Muni Yadav	Sh. Nagina Yadav	968
28.	Sh. Ram Ji Yadav	Sh. Jagdish Yadav	761
29.	Sh. Hari Mohan Yadav	Sh. Ram Pujan Yadav	755
30.	Sh. Baghan Yadav	Sh. Ram Ashre Yadav	994

(1)	(2)	(3)	(4)
31.	Sh. Parmesh Yadav	Sh. Baij Nath Yadav	936
32.	Sh. Baij Nath Yadav	Sh. Ram Das Yadav	806
33.	Sh. Rajendra	Not Known	942
34.	Sh. Ram Chandra Choudry	Sh. Gandhi Choudry	990
35.	Sh. Jamuna Yadav	Sh. Nand Gopal Yadav	763
36.	Sh. Laxman Yadav	Sh. Ram Pujan Yadav	785
37.	Sh. Saral Yadav	Sh. Bachan Yadav	859
38.	Sh. Lotan Yadav	Sh. Kalpul Yadav	786
39.	Sh. Kashi Nath Yadav	Sh. Baij Nath Yadav	967
40.	Sh. Baij Nath Yadav	Sh. Naresh Yadav	970
41.	Sh. Ram Prawesh Yadav	Sh. Dashrath Yadav	810
42.	Sh. Ashok Yadav	Sh. Saral Yadav	780
43.	Sh. Braham Dev Kahar	Sh. Ramu Kahar	979
44.	Sh. Bateswar Yadav	Sh. Ganesh Yadav	775
45.	Sh. Suresh Yadav	Sh. Bihari Yadav	956
46.	Sh. Fauzdar Yadav	Sh. Bachan Yadav	887
47.	Sh. Shivji Kahar	Sh. Achche Lal Kahar	868
48.	Sh. Mantu Yadav	Sh. Bhajan Yadav	823
49.	Sh. Ramji Kahar	Sh. Parikhan Kahar	892
50.	Sh. Ram Subhag Yadav	Sh. Mukh Lal Yadav	—
51.	Sh. Sri Kant Rauth	Sh. Saryu Routh	783
52.	Sh. Ram Surat Yadav	Sh. Bali Yadav	—
53.	Sh. Bharath Yadav	Sh. Ram Govind Yadav	770
54.	Sh. Parshu Ram Yadav	Sh. Biseswar Yadav	—
55.	Sh. Chanchal Yadav	Sh. Markat Yadav	—
56.	Sh. Mangru Yadav	Sh. Ram Pati Yadav	—
57.	Sh. Brahman Dev Yadav	Sh. Parhalad Yadav	—
58.	Sh. Jugeswar Yadav	Sh. Muneswar Yadav	777
59.	Sh. Bharath Yadav	Sh. Chhotkan Yadav	881
60.	Sh. Bachan Yadav	Sh. Munna Yadav	792
61.	Sh. Sanjay Yadav	Sh. Markandey Yadav	848
62.	Sh. Sughan Yadav	Sh. Harender Yadav	947
63.	Sh. Kishun Paswan	Sh. Shiv Balak Paswan	921
64.	Sh. Nand Ji Sahu	Sh. Khem Lal Sahu	—
65.	Sh. Baij Nath Yadav	Sh. Sipahi Yadav	795
66.	Sh. Kolahal Yadav	Sh. Nemdhari Yadav	986
67.	Sh. Kesh Nath Yadav	Sh. Kapil Yadav	—
68.	Sh. Hira Lal Kurmi	Sh. Baiju Kurmi	779
69.	Sh. Manoj Kahar	Sh. Jageswar Kahar	888
70.	Sh. Bharath Yadav	Sh. Laxman Yadav	—
71.	Sh. Sachin Yadav	Sh. Gena Yadav	—
72.	Sh. Fanu Routh	Sh. Shiv Nandan Routh	—

(1)	(2)	(3)	(4)
73.	Sh. Jay Nath Yadav	Sh. Fuleshwar Yadav	951
74.	Sh. Som Nath Yadav	Sh. Kailash Yadav	—
75.	Sh. Nanhu Kurmi	Sh. Jag Nath Kurmi	788
76.	Sh. Parash Yadav	Sh. Baij Nath Yadav	—
77.	Sh. Biseswar Yadav	Sh Ram Chandra Yadav	—
78.	Sh. Sirati Yadav	Sh. Ram Nath Yadav	—
79.	Sh. Kapoor Goudrh	Not Known	—
80.	Sh. Baleswar Yadav	Sh. Ganga Dyal Yadav	—
81.	Sh. Dipti	Sh. Dharam Dev	—
82.	Sil. Hari Narayan Yadav	Sh. Jay Nath Yadav	—
83.	Sh. Upendra Yadav	Sh. Shri Ram Yadav	—

नई दिल्ली, 21 दिसम्बर, 2011

का.आ. 173.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद नं.-1 के पंचाट (संदर्भ संख्या 87/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/107/2002-आई आर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 21st December, 2011

S.O. 173.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 87/2002) of the Central Government Industrial Tribunal-cum-Labour Court-I, Dhanbad, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCI. and their workman, which was received by the Central Government on 21-12-2011.

[No. L-20012/107/2002-IR (C-I)]

D. S. S. SRINIVASA RAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. I, DHANBAD

LOK ADALAT

In the matter of a reference U/s. 10 (1)(d) (2A) of the Industrial Disputes Act, 1947

Reference No. 87 of 2002

PARTIES : Employers in relation to the management of Bastacolla Area of BCCCL

AND

Their Workmen

PRESENT : Shri H. M. SINGH, Presiding Officer

APPEARANCES :

For the Employers : Shri D. K. Verma, Advocate

For the Workman : None

State : Jharkhand : Industry : Coal

Dated 13-12-2011

AWARD

By Order No.L-20012/107/2002-IR (C-I) dated 26-7-2002 the Central Govt. in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-Sec. (1) and sub-sec. (2A) of Section 10 of the I.D. Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand from the management of Bastacolla Area of M/s. BCCCL for regularization of Sri Rana Pratap Singh, concerned workman, in the post of Attendance Clerk and pay him SLU and promotion is legal and justified? If so, what relief the workman concerned is entitled to and from which date?”

2. This reference case was fixed on 13-10-2011 for hearing on settlement petition filed by Shri D. K. Verma, Advocate for the management, on 18-3-2010 duly signed by both the parties. I have gone through the terms of settlement and I find it fair and proper. Since none was present on 13-10-2011 on behalf of the workman, it is presumed that the settlement has already been arrived at between the parties.

3. Accordingly, I pass an award in terms of settlement, which shall form part of the Award.

H. M. SINGH, Presiding Officer

FORM 'H'

(See rule-58)

**Bipartite Settlement Arrived at Between the
Management of Bastacolla Area/Dobari Colliery and
Representatives of RCMS Regarding the Case of
Shri Rana Pratap Singh.**

Representing Management Representing Union

- | | |
|--|--|
| 1. Sri K. M. Bansal, General
Manager, Area IX. | |
| 2. Sri. Randhir Singh,
Dy. CPM Area IX. | Sri. N. G. Arun, Orgn.
Secretary (Legal), RCMS. |
| 3. Sri R. P. Yadav,
PM(IR) Area IX. | Sri Rana Pratap Singh
Concerned workman. |
| 4. Sri S. C. Pandiya,
Project Officer,
Dobari Colliery | |
| 5. Sri R. N. Dutta,
Sr. PO Dobari
Colliery. | |

SHORT RECITAL OF THE CASE

The case of Sri Rana Pratap Singh of Dobari Colliery under Bastacolla Area was raised by RCMS union at Hqtr. level with the contention that Sri. Rana Pratap Singh, Asstt. Surveyor (Unqualified) was performing the job of supervision of coal despatch for which an authorisation was issued by the then Dy. CME, Dobari Colliery vide letter No. D/IX/89/1717 dated 1-8-89. The case was examined in depth by GM (IR), BCCL for which he also visited Dobari Colliery to examine the relevant records and details of the case. During course of examination it was found that although Shri Rana Pratap Singh was working on surface from 1989 onwards for the said job but he was getting payment of Underground allowance up in 1999.

The matter was placed before the competent authority of Hqtr. by GM (IR), BCCL and on being approved by the competent authority the approval was communicated by GM (IR), BCCL, Koyla Bhawan vide his notesheet no. 1306 dated 25-2-2002 and accordingly settlement is arrived at on the following terms and condition :—

1. That the designation of Shri Rana Pratap Singh, Asstt. Surveyor (Unqualified) presently in T&S Gr. 'D' carrying the grade of T&S Gr. 'C' (SLU) will be changed as Asstt. Loading Inspector in his existing grade i.e. in T&S Gr. 'C' (SLU) with immediate effect.
2. His place of posting will be at Dobari Colliery till further order.
3. His service will be made use of in connection with Wagon Loading in siding specially for quality loading to avoid demurrage and quality deduction.

4. His service will be on probation of one year. During this period of service is not found satisfactory, management hold rights for revert him back to his substantive post.
5. In the part of working in surface and drawn underground allowance for the entire period, the same will be calculated by the unit and it will be deducted in equal instalment fixed by the Management and communicated including recovery of Employer's PF contribution and interest thereupon.
6. His roll will be at Dobari and his services will be utilised for Wagon Loading at siding.
7. That case pending at Conciliation/Tribunal will be withdrawn by the union.

Management side**Union side**

- | | |
|--|--|
| 1. (K. M. Bansal)
General Manager, Ar. IX. | 1. (N. G. Arun)
Orgn. Sec., RCMS |
| 2. (Randhir Singh)
Dy. CPM, Area-IX. | (Rana Pratap Singh)
Concerned workman |
| 3. (R. P. Yadav)
PM (IR), Area IX. | |
| 4. (S. C. Pandiya)
Project Officer
Dobari Colliery | |
| 5. (R. N. Dutta)
Sr. PO, Dobari | |

नई दिल्ली, 21 दिसम्बर, 2011

का.आ. 174.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या 24/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-12-2011 को प्राप्त हुआ था।

[सं. एल-12012/373/2001-आई आर (बी-1)]

रमेश सिंह, डेस्क अधिकारी

New Delhi, the 21st December, 2011

S.O. 174.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 24/2002) of the Central Government Industrial Tribunal-cum-Labour Court Nagpur, as shown in the Annexure, in the industrial dispute between the management of State Bank of India and their workmen, received by the Central Government on 21-12-2011.

[No. L-12012/373/2001-IR (B-1)]

RAMESH SINGH, Desk Officer

ANNEXURE

**BEFORE SHRI J. P. CHAND,
PRESIDING OFFICER,
CGIT-CUM-LABOUR COURT, NAGPUR**

Case No. CGIT/NGP/24/2002 Date : 8-12-2011.

Party No. 1 : The Assistant General Manager,
State Bank of India, Regional Office,
New Mondha, P.B. No. 5, Nanded,
Maharashtra-431602.

Versus

Party No. 2 : The Assistant General Secretary,
State Bank Karmachari Sena,
C/o. State Bank of India,
Nanded Branch, Doctor's Lane,
Ghamodiya Factory, Vazirabad,
Nanded-431201 (M.S.)

AWARD

(Dated : 8th December, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government has referred the industrial dispute between the employers, in relation to the management of State Bank of India and Shri P.R. Natu, for adjudication, as per letter No. L-12012/373/2001-IR (B-I) dated 5-02-2002, with the following schedule :—

"Whether the action of the management of Asstt. General Manager, Region-I, State Bank of India, Nanded (Mah.) in not implementing in the cadre higher appointment/promotion policy and deprived to Shri P.R. Natu for his promotion w.e.f. 1-7-97 with cumulative benefit and debarred for one year w.e.f. 8-7-98 was justified? If not, what relief the said workman is entitled?"

2. On receipt of the reference, the parties were noticed to file their respective statement of claim and written statement and accordingly, the union, "State Bank Karmachari Sena" ("the union" in short) filed the statement of claim on behalf of the workman, Shri P.R. Natu ("the workman" in short) and the management of the State Bank of India ("Party No. 1" in short) filed its written statement.

The case of the workman as presented by the union in the statement of claim is that the party no. 1 did not adhere to the norms and policies in promoting the eligible employees in respect of incadre higher appointments, i.e. Head Clerk, Teller, Dy. Cash Officer and Computer Operators and particular senior employees are either being ignored or being harassed by giving indiscriminate behaviour. inspite of the direction of the Hon'ble High

Court, Bombay in writ petition no. 66 dated 13-02-1998 for adhering strictly the promotion policy in case of the incadre higher appointment and the undertaking of the party no. 1 before the ALC, Chandrapur in the conciliation proceeding in that regard. It is further pleaded by the union that on 1-07-1998, orders were issued to some employees in regard to incadre higher appointments in Nanded region to posts like teller, head clerk and Dy. Cash Officer but not in regard to posts of computer operator, even though, options were obtained by party no. 1 from the concerned employees for the post of computer operators vide letter no. 3430 dated 21-08-1997 and the workman, who was working at Nanded Branch was due for promotion on 1-07-1997 under the incadre higher appointment as per his seniority, but the party no. 1 did not give him promotion on the due date, whereas, his juniors were promoted and posted and on 2-07-1998, party no. 1 issued order for promotion of the workman as a teller w.e.f. 1-07-1997 and the promotion order was issued after the lapse of one year and the workman was posted at Basmat Nagar Branch, where there was no vacancy for the post given to him and another employee was already posted there as a teller on 1-07-1997 itself and as such, the posting of the workman at Basmat Nagar Branch on supernumerary capacity and the workman in compliance to the condition of giving acceptance to the promotion order within eight days of receipt of the same, gave his consent, but requested in his consent letter to protect his seniority and for his conversion for the post of computer operator in Nanded in future and for parking/allowing him to work at Nanded branch in the supernumerary capacity, as one of the posts of teller at Nanded Branch was vacate at that time, but party no. 1, after a gap of one month gave reply that his acceptance to be a conditional acceptance and therefore debarred him from incadre higher promotion for a year w.e.f. 8-07-1998 and thereby, the workman was debarred from promotion not for a year, but for two years from the date of his legitimate promotion due i.e. 1-07-1997 and the request made by the workman, while accepting the promotion was legitimate, genuine and as per the policy and the workman had already suffered as because, party no. 1 had not given him promotion on the due date and when management rectified there mistake and effected his promotion with retrospective effect from 1-07-1997, his seniority was required to be restored as requested by him and when there was no vacancy at the place of posting of the workman, there was no harm in accepting his genuine request for allowing him to work at Nanded in the same capacity and when management had already allowed such cases at Nelanga and Kinwat Branch and management by using indiscriminating tactics debarred the workman from promotion and even though options from the eligible employees for computer operator were already obtained, no postings were given to senior eligible employees and allowances were paid to junior employees in the Regional Office and the workman was also deprived

of for the post of computer operator as he was not given the promotion in time and intentionally the workman was not given his legitimate right of promotion and postings and for that the union approached to ALC (C), Chandrapur for conciliation, but management did not agree for conciliation and during the pendency of the conciliation proceedings, party no. 1 issued another order promoting the workman as a senior assistant under the revised promotion policy vide letter dated 24-05-2000 and he was posted at APMC Branch situated at Nanded city w.e.f. 1-04-1999, but due to pendency of conciliation proceedings, the workman asked the party no. 1 to maintain the status quo and for that the workman was debarred by party no. 1 for promotion for three years w.e.f. 1-04-1999 and therefore, the workman right from 1-07-1997 suffered illegal debarment and deprived from promotion and such facts show the mala fide intention of party no. 1 and its indiscriminating promotion policy. The union has made prayer to direct for the promotion of the workman under incadre higher appointment w.e.f. 1-07-1997 with all cumulative benefits and posting at Nanded and suitable compensation.

3. In its written statement, the party no. 1 pleaded inter-alia that the dispute is not an industrial dispute, but the same is an individual dispute and there is no general commonality of interest and the alleged issue affects only one workman and as such the dispute doesn't fall within the meaning of Section 2(K) of the Act and as such, the Tribunal has no jurisdiction to entertain the matter. It is further pleaded by party no. 1 that promotion is not a condition of service and it is the management's prerogative to decide the place of posting and as such, the demand of the workman to seek promotion at a particular place is ridiculous and the Bank evolved the policy for incadre higher appointments in clerical cadre vide circular no. 61 of 1993-94 dated 12-02-1994 and the said policy was revised from time to time and as per the said policy, the clerical cadre staff are entitled for appointment to post such as head clerk, teller and Dy. Head Cahier etc. carrying a monthly allowance of Rs. 750 per month and for the same the bank has to prepare the seniority list, in accordance with the choice of the zones and sub-zones given by the employee for incadre higher appointment and the employees, who have completed two years of service from the date of appointment in the permanent services have to submit their letter of option of sub-zones to accept incadre higher appointments and according to the letters of options, the seniority list is prepared and according to the said list, appointments in higher cadre are given and a separate list is prepared sub-zone wise, for the incadre higher appointment posts becoming vacant or sanctioned and the employee on the top of the list of a particular sub-zone is appointed to post which is on the top of the list of the posts available in particular sub-zone and the same rule is applied to all the employees in the seniority list and the seniority list of the employees is

co-related with the list of posts available/vacant in the sub-zone, while offering the appointments and if the employee, to whom the incadre higher appointment is given by the bank, refuses or doesn't respond to the offer of the Bank, he is debarred for getting incadre higher appointment for a period of one year, from the date of his refusal and in cadre higher appointments for the post of computer operator were earlier given to the employees, on the basis of the aptitude test and waiting list was prepared according to the results of the aptitude test and employees were given appointments according to the waiting list, as and when vacancies arose and aptitude test of the computer operators was dispense with w.e.f. 30-01-1997, by circular dated 25-04-1997, but by settlement dated 12-04-1999, appointments for the computer operators have to be given on the basis of the aptitude test and for that permanent appointments for the post of computer operator in Aurangabad Zone, in which Nanded sub-zone comes were withheld due to the objection raised by the circle union and therefore, no permanent appointments for the posts of computer operator had been given to any employee and the first promotion was offered to the workman for the post of teller at Ausa Branch in district of Latur w.e.f. 1-07-1996, by letter dated 1-07-1996, but the workman refused to accept the promotion and communicated his refusal to Chief Manager, Nanded Branch, vide his letter dated 1-07-1996 and the said letter was forwarded by the Chief Manager to the Regional Office, Nanded on 3-07-1996 and as per the policy, the workman should have been debarred for promotion for a period of one year from 1-07-1996, but there was a mistake in recording the date of debarment in the record and instead of recording the date of deparment as 1-07-1996, the Bank recorded the date as 3-07-1996, the date of receipt of the letter of refusal of the workman by Regional Office and as such, the workman was debarred for a period of one year from 3-07-1996 to 2-07-1997 and in view of the above facts, while implementing the incadre higher appointment policy from 1-07-1997 the name of the workman got excluded from the eligible employees as the debarment was recorded to have valid up to 2-07-1997 and while considering incadre higher appointments, from 1-07-1998 the Bank consider his representation, which he had given earlier and promoted him with retrospective effect from 1-07-1997 and while offering promotion to the workman, the crucial question came for consideration of the Bank was to which post at a particular centre within the sub- zone, the workman was entitled and two options were available with the Bank and if the Bank would have promoted the workman according to the vacancy available on 1-07-1998, he would have been promoted as head assistant at Kinwat Branch which is about 120 Kms. from Nanded and considering the appointment of the workman that he was due for promotion from 1-07-1997 and had the workman been promoted on 1-07-1997, then he would have been promoted as teller at Basmat Nagar Branch, which is 25 Kms. from

Nanded and as such, the workman was posted as a teller at Basmat Nagar Branch in supernumerary capacity, as another employee had already been posted and instead of accepting the promotion, the workman gave the conditional acceptance by letter dated 7-07-1998, including the demand of his posting in Nanded city only and the conditional acceptance of the workman was not accepted by the Bank and therefore the workman was debarred for a period of one year from 8-07-1998, which was treated as refusal and accordingly the debarment letter was issued on 16-09-1998 and the workman was offered two promotions as per seniority, but he refused both the promotions. It is further pleaded by the party No. 1 that the carrier path policy came to be implemented by the bank and although the workman was under debarment till 7-7-1999, he was promoted as a senior assistant w.e.f. 1-4-1999 and was posted at APMC Branch, but the workman refused to accept the promotion by letter dated 27-05-2000 on the alleged ground that it is obligatory to maintain status quo in the matter, as per the orders of conciliating authority and in fact, there was no such order and the workman could have definitely accepted the promotion when the same was given in Nanded city itself and consequences of the refusal of the promotion followed and accordingly the workman was debarred from being considered for promotion for a period of three years from 1-04-1999 to 31-03-2002 and as such, the workman is not entitled to any relief.

4. Besides placing reliance on documentary evidence, the workman examined himself as a witness in support of his claim. Party No. 1 did not adduce any oral evidence.

The examination-in-chief of the workman, on affidavit is reiteration of the facts mentioned in the statement of claim. However, in his cross-examination, the workman has admitted that the union has not passed any resolution for raising the dispute and oral resolution was passed in the executive body of the union. He has further admitted that the terms and conditions of circulars dated 12-02-1994 and 12-04-1999 are applicable to him and he was first promoted w.e.f. 1-07-1996, but he refused the promotion and he was promoted w.e.f. 1-07-1997 as a teller and he was also promoted as senior assistant from 1-04-1999, but he did not accept the promotion and there was no order of the ALC directing to maintain status quo and he was debarred from promotion account of his refusal, for three years from 1-4-1999 to 31-03-2002 and he was again promoted as senior assistant from 1-04-2002 but he did not accept the same.

5. As per the written notes of argument submitted by the workman, that the workman was promoted as teller at Ousa Branch on 19-06-1996 and as the post was not acceptable to the workman, he refused the promotion and as such, he was debarred from promotion for one year from 1-07-1996 to 30-06-1997 and therefore, he was eligible for promotion on 1-07-1997, but on 1-07-1997, Bank wrongly and illegally treated the workman not be eligible

for promotion and thereby deprived him of the opportunity of promotion and as such, the action of the management is illegal and debarring the workman for promotion for the period of one year from 08-07-1998, actually debarred the workman for promotion for 2 years and as such, the said order is also illegal and such facts have been proved by the oral and documentary evidence adduced by the workman and as such, the workman is entitled for the relief as claimed by him.

6. Per contra, it was submitted by the learned advocate for the party No. 1 that the dispute is not an Industrial Dispute and the same is an individual dispute and as such, the Tribunal has no jurisdiction to adjudicate the matter and the Bank had given repeated incadre higher appointments to the workman in terms of the policies dated 12-02-1994 and 12-04-1999 and the workman has admitted about the application of the terms and conditions of the said policies to him and the workman refused to accept all such promotions for one or the other reason and infact, the workman who was posted at Nanded city branch did not want to shift anywhere and was only interested to get the incadre higher appointment in the same branch and when the workman refused to accept the promotion he was debarred from promotion for one year from the date of his refusal i.e. from 8-07-1998 to 7-07-1999 and such debarment cannot be said to be for a period of two years and the party No. 1 had not committed any illegality and it had rightly debarred the workman for having refused to accept incadre higher appointments and therefore the workman is not entitled for any relief.

7. The first contention raised by the party No. 1 is that the dispute is not an Industrial Dispute but an individual dispute and as such, the Tribunal has no jurisdiction to adjudicate the matter. In support of such contention reliance has been placed on the decisions reported in 2007 II CLR 527 (Garrison Engineer, Utility Batinda Vs. Shri Narinder), 1968 LA V.I.C. 1259 (Shri Gopal paper mills Limited Vs. The State of Haryana and others) and 1965 ILLJ 95 (Nellal Cotton Mills Tirunelvall V/s. Labour Court Madurai).

The Hon'ble Apex Court in the decision reported in 2007 II CLR 527 (Supra) have held that, the legal issue of maintainability of the reference is to be decided at first. In view of such direction, it is necessary to decide as to whether the dispute is an Industrial Dispute or an Individual dispute at first. It is well settled that bare sponsoring of individual disputes by union is not enough to make it an Industrial Dispute. On perusal of the reference, the dispute in question is concerned only to an individual workman. There is nothing on record to show that the individual dispute has been converted into collective dispute. The workman has admitted in his evidence that no resolution was passed by the union to espouse the dispute on his behalf. There is nothing on record to show that substantial number of members of the union supported the decision of the union to take up the cause

of the individual worker. In the absence of these circumstances, the dispute sponsored by the union cannot be considered to be a collective dispute. Hence, it is held that the dispute in question is an individual dispute and not an Industrial dispute and as such the Tribunal has no jurisdiction to adjudicate the dispute.

In view of the findings that the dispute is not an industrial dispute, this Tribunal has no jurisdiction to go into the merit of the case. Hence, it is ordered :—

ORDER

The dispute is not an industrial dispute and is an individual dispute and as such, the Tribunal had no jurisdiction of adjudicate the dispute and to go into the merit of the case as per the schedule of the reference. The reference is disposed of accordingly.

J. P. CHAND, Presiding Officer

नई दिल्ली, 21 दिसम्बर, 2011

का.आ. 175.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, धनबाद नं.-1 के पंचाट (संदर्भ संख्या 76/1990) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/289/1989-आईआर (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 21st December, 2011

S.O. 175.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 76/1990) of the Central Government Industrial Tribunal-cum-Labour Court-I Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 21-12-2011.

[No. L-20012/289/1989-IR (C-I)]

D.S.S. SRINIVASA RAO, Desk Officer

ANNEXURE

Before The Central Government Industrial Tribunal No. I, Dhanbad.

In the matter of a reference U/s. 10 (1)(d) (2A) of the Industrial Disputes Act, 1947.

Reference No. 76 of 1990.

Parties : Employers in relation to the management of Sendra Bansjora Colliery of M/s. BCCL

AND

Their workmen

Present : Shri H. M. Singh, Presiding Officer

Appearances :

For the Employers : Shri H. Nath, Advocate

For the Workman : Shri R. K. Lal, Advocate.

State : Jharkhand : Industry, Coal,

Dated, the 8-12-2011.

AWARD

By Order No. L-20012/289/89-IR (Coal-I) dated 18-4-1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of Sendra Bansjora Colliery under Sijua area of M/s. BCCL, in not allowing Smt. Shanti Bhuiyain, Casual Wagon Loader to resume her duty w.e.f. 26-8-1985 is justified ? If not, to what relief is the workman entitled ?”

2. The case of the concerned workman, Smt. Shanti Bhuiyain (Bhuini) has been working in Sendra Bansjora Colliery as a Casual Wagon Loader. She fell sick from 2-10-83 and reported her sickness to the management. In course of treatment it was found that she was suffering from Tuberculosis and was rendered totally incapable of working as a Wagon Loader. After prolonged treatment and recovery from her illness she reported for duty to the management of the Colliery on 26-8-85 with due medical certificate. But she was not allowed to join her duty and was informed that she was transferred to Nichitpur Colliery in October, 1983 and released from Sendra Bansjora Colliery. She was not given the alleged transfer order nor the release order to enable her to join work at Nichitpur colliery nor she was allowed to join work at Sendra Bansjora Colliery. After a lapse of about two years the management of Sendra-Bansjora Colliery issued a charge-sheet dated 29/30-10-87 alleging absence without information. The concerned workman submitted her reply on 9-11-83 from 2-10-83. It has been stated that the management made a formal enquiry which was neither fair nor proper. The Dy. C.P.M. of Sijua area issued a note that the workman was found guilty of the misconduct of absence and to inform the workman that since she left her job of her own it would not be possible to take her back in employment. The Dy. C.M.E., Sendra Bansjora Colliery, however, in his comments before the A.L.C. (C), Dhanbad, stated that the dismissal of the workman was confirmed by the competent authority. But no dismissal order was served upon her. The action of the management in not allowing Smt. Shanti Bhuini to resume her duty w.e.f. 26-8-85 is not justified, and the concerned workman is entitled to get the relief of reinstatement in her post

with back wages and benefits from 26-8-85 onwards.

It has been prayed that the Hon'ble Tribunal be pleased to pass an award in favour of the concerned workman.

3. The case of the management is that the concerned workman was a casual workman and was employed as a casual wagon loader. It has been submitted that loading of coal in wagon is a job of casual nature depending upon supply of wagons which is very irregular and erratic. There was no requirement of casual wagon loader at Sendra Bansjora colliery, she along with other casual wagon loaders, was transferred to Nichitpur colliery by order dated 27-9-83, and subsequently released from duty from Sendra Bansjora colliery by order dated 3-10-83. All the workmen, who were so transferred, excepting Smt. Shanti Bhuini, resumed duty at Nichitpur colliery. But the concerned workman did not report for duty at that colliery. She continued to remain absent from duty without leave, information and permission and absented from duty for more than ten days since 2-10-83. She was issued a charge-sheet 29/30-10-87 for remaining absent from duty since 2-10-83. She replied to the chargesheet on 9-11-87. Thereafter an enquiry was held by the Enquiry Officer, C. M. Singh, Sr. P.O. who made departmental enquiry in accordance with the principles of natural justice in which she fully participated and she was found guilty of the charges. The Enquiry Officer submitted his report. The enquiry report was examined at various level and the management concurred with the findings of the Enquiry Officer that the charges levelled against the concerned workman has been fully established. Accordingly she was dismissed from service, after obtaining the approval of the competent authority. It has been denied that she was not allowed to resume duty w.e.f. 20-8-1985. Since she was a casual wagon loader, the question of allowing her to resume duty did not arise.

In rejoinder the management has stated almost same things as have been stated in its written statement.

4. The domestic enquiry has been held fair and proper vide order dated 3-5-95.

5. The management produced MW-1. But cross-examination of MW-1 was not done because the concerned workman was not present inspite of several notices were given. The documents filed by the management have been marked Exts. M-1 to M-6.

6. No verbal argument was advanced on behalf of the either party.

Written argument has been filed on behalf of the concerned workman. It has been stated on behalf of the concerned workman in their written argument that the management illegally stopped the concerned workman from duty, when she became sick in 1983 and the management issued charge-sheet dated 29/30-10-87 alleging absence

without information from 2-10-83 to which she submitted her reply dated 9-11-83.

Management's witness MW-1, Chandra Mouli Singh, who was Enquiry Officer, stated that he conducted the enquiry and recorded the evidence of the management witnesses in presence of the concerned workman and she was afforded opportunity to cross-examine those witness. She was afforded opportunity to give her statement and to adduce the evidence. After enquiry he submitted enquiry in which he found that the charge against the concerned workman was established. When she was absent without any reason so much long time and after enquiry which shows that the management had given fair opportunity to the concerned workman to adduce evidence, but nothing has been done. It shows that the concerned workman has, by his own will, taken the plea for sick.

7. Considering the facts and circumstances I hold that the action of the management of Sendra Bansjora Colliery under Sijua area of M/s. BCCL, in not allowing Smt. Shanti Bhuiyain (Bhuini), Casual Wagon Loader to resume her duty w.e.f. 26-8-1985 is justified and hence the concerned workman is not entitled to any relief.

This is my Award.

H. M. SINGH, Presiding Officer

नई दिल्ली, 21 दिसम्बर, 2012

का.आ. 176.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.सी.सी.एल. एवं के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, धनबाद नं.-1 के पंचाट (संदर्भ संख्या 29/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 02-12-2011 को प्राप्त हुआ था।

[सं. एल-20012/25/2007-आई. आर. (सी-1)]

डी. एस. एस. श्रीनिवास राव, डेस्क अधिकारी

New Delhi, the 21st December, 2011

S.O. 176.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 29/2008) of the Central Government Industrial Tribunal-cum-Labour Court-1, Dhanbad, as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. BCCL, and their workman, which was received by the Central Government on 21-12-2011.

[No. L-20012/25/2007-IR (C-1)]

D. S.S. SRINIVASARAO, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT
INDUSTRIAL TRIBUNAL NO. 1, DHANBAD.

In the matter of a reference under section 10 (1)(d)
(2A) of the Industrial Disputes Act, 1947.

Reference No. 29 of 2008.

Parties : Employers in relation to the management of
Western Jharia Area of M/s. BCCL

AND

Their workman

Present : Shri Hari Mangal Singh, Presiding Officer**Appearances :****For the Management :** Shri D. K. VERMA, Advocate**For the Union :** Shri D. MUKHERJEE, Secretary,
Bihar Colliery Kamgar Union.**State :** Jharkhand **Industry :** Coal

Dated, the 9-12-2011.

AWARD

By Order No.L--20012/25/2007-IR (CM-I), dated 3-6-2008, the Central Government in the Ministry of Labour has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

SCHEDULE

“Whether the action of the management of Murlidih 20/21 Pits Colliery of M/s. BCCL, in not regularizing the services of Shri Nizamuddin Khan, Pump Operator as Mechanical Fitter is legal and justified ? To what relief is the concerned workman entitled and from what date ?”

2. In this case Shri D. Mukherjee, Secretary of the Union alongwith the concerned workman appeared on 26-05-2011 and filed a petition duly signed by the concerned workman stating therein that the concerned workman is not interested to contest the case and as such a prayer has been made to pass an order allowing to withdraw the claim made by the union/workman.

3. In view of such prayer made on behalf of the concerned workman, I pass a ‘No Dispute’ award in this reference case.

H. M. SINGH, Presiding Officer

नई दिल्ली, 21 दिसम्बर, 2011

का.आ. 177.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 35/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-17012/34/2000-आई आर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 21st December, 2011

S.O. 177.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 35/2001) of the Central Government Industrial Tribunal/Labour Court, Jaipur, now as shown in the Annexure, in the industrial dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 21-11-2011.

[No. L-17012/34/2000-IR (B-II)]

SHEESH RAM, Section Officer

ANNEXURE**THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JAIPUR****Present :** N. K. Purohit, Presiding Officer**Case No. 35/2001**

Reference No. L-17012/34/2000-IR (B-II)

dtd. 8-5-2001

Sh. Nand Kishore Sharma,
S/o Sh. N. L. Sharma
R/o H. No. 786, Ban Walon Ka Dharwaja,
Chaura Rasta, Jaipur (Raj.)

V/s.

The Sr. Divisional Manager,
LIC of India, Bhawani Singh Road,
Jeevan Prakash Building,
Jaipur (Rajasthan) -302006

Present :

For the Applicant : Sh. R. C. Jain.
For the non-applicant : Sh. J. K. Agrawal.

AWARD

11-10-2011

1. The Central Government in exercise of the powers conferred under clause (d) of sub-section (1) and 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the Industrial dispute to this tribunal for adjudication which is as under :—

“Whether the claim of Shri Nand Kishore Sharma S/o Shri Narsingh Lal Sharma that he was engaged during the period from 25-4-1985 to 1991 on daily wage basis by the management of LIC of India, Jaipur is correct and if so”

“Whether the action of the management of LIC in terminating the services of Shri Nand Kishore Sharma

w.e.f. 1-4-1991 and not giving re-employment under section 25 G of the I.D. Act, 1947 is justified? If not, what relief the disputant is entitled and from what date?"

2. The workman in his claim statement has pleaded that he was engaged by the non-applicant Corporation as waterman/class IV on 25-4-85. He had worked for more than 240 days in the year 1987 and 1988 despite this his services have been orally terminated by the non-applicant Corporation in the violation of section 25-F of the I.D. Act. The workman has also pleaded that as per decision in special appeal no. 10393/92 those workmen who had worked up to 20-5-85 for a specific period as per scheme formulated in this regard were required to be given regular appointment after screening. But the management has not given him regular appointment whereas other workmen have been given appointments in the light of said decision. The workman has alleged that the non-applicant has also violated the provisions u/s 2-G and 25-H of the I.D. Act. The workman has prayed for his reinstatement with back wages and all consequential benefits.

3. In reply, the non-applicant Corporation has denied the claim of the workman. The non-applicant has raised preliminary objection regarding maintainability of the claim on the ground of inordinate delay in raising the dispute. It has been pleaded that the workman was engaged as waterman on contract basis as and when required who had not worked for 240 days in any calendar year. It has been denied that workman is entitled to be appointed as regular employee in the light of decision of the Hon'ble Apex court. It has also been denied that after termination of the workman any junior to him has been engaged by the non-applicant. Since, the provisions of section 25-F, G and H, and Rule 77 and 78 have not been violated, the claim of the workman deserves to be rejected.

4. In rejoinder, the workman has pleaded that validity of his termination was challenged by him in writ petition No. 5345/91 but later on he withdrew the said writ petition in the year 1996 for making representation to the Corporation for considering his case in the light of decision of the Hon'ble Apex Court.

5. On 26-8-02 following points for determination were framed :—

1. क्या प्रार्थी श्रमिक की नियुक्ति दिनांक 25-4-85 को विपक्षी संस्थान द्वारा की गई, जिसने क्लेम विवरण के पद संख्या 1 में वर्णित अवधि के अनुसार कार्य किया व वर्ष 1987 एवं 1988 में 240 दिवस से अधिक कार्य किया?

2. क्या विपक्षी संस्थान द्वारा प्रार्थी से कनिष्ठ कर्मचारियों की पुनः नियुक्ति कर धारा 25-एच औद्योगिक विवाद अधिनियम के प्रावधान का उल्लंघन किया गया है?

3. क्या क्लेम विवरण अत्यधिक समयावधि के बाहर होने के कारण निरस्त किये जाने योग्य है?

4. क्या औद्योगिक विवाद अधिनियम के प्रावधान विपक्षी संस्थान के नियमों पर लागू नहीं होते हैं ?

5. क्या प्रार्थी सेवा में पुनः नियुक्त किए जाने का अधिकारी है ?

6. In evidence, the workman has filed his affidavit on 29-9-2004 whereas the management has filed the counter affidavit of Sh. M.L. Chaudhary, Manager (legal) on 4-1-05 in support of their respective case.

7. The point-wise discussion follows as under :—

Point No. 1.

8. The questions under consideration are whether during period 25-4-85 to 31-1-91 the workman had worked under the employment of the non-applicant and had worked for 240 days in the year 1987 and 1988 and whether his alleged termination is in violation of Section 25-F of the I.D. Act.

9. To attract the provisions of section 25-F of I.D. Act one of the conditions required is that the workman is employed in any industry for a continuous period which would not be less than one year.

10. The expression "continuous period" occur in section 25-F has been defined in section 25-B of the I.D. Act. Under sub-section (1) of the section 25(B), if a workman has put in uninterrupted service of establishment including the service which may interrupted on account of sickness, authorize leave, accident, a strike which is not illegal, a lock out or secession of work that is not due to any fault on the part of the workman shall be said to be in continuous service for one year i.e. 12 months in respect of number of days he has actually worked with interrupted service permissible under sub-section (1) of section 25(B).

11. Sub-section (2) of section 25(B) of the I.D. Act says that even if a workman has not been in continuous service for a period of one year as envisaged under sub-section (1) of 25(B) of I.D. Act, he shall be deemed to have been in such continuous service for a period of one year if he has actually worked under the employer for 240 days in preceding period of twelve months from the date of his termination. The said sub-section provides for a fiction to treat a workman in continuous service for a period of one year despite the fact that he has not rendered uninterrupted service for a period of one year. In 1981 Lab IC 806 Hon'ble Apex Court has elaborated the mode to invoke the said fiction as follows :—

"In order to invoke the fiction enacted in sub-section (2)(a), it is necessary to determine first the relevant date, i.e., the date of termination of service which is complained of a 'retrenchment'. After that date is ascertained, move backward to a period of 12 months just preceding the date of retrenchment and then ascertain whether within the period of 12 months, the workman has

rendered service for a period of 240 days. If these three facts are affirmatively answered in favour of the workman, pursuant to the deeming fiction enacted in sub-section 2(a), it will have to be assumed that the workman is in continuous service for a period of one year, and he will satisfy the eligibility qualification enacted in Section 25F."

12. In the background of the legal provisions and principles set out above factual scenario in the present case is to be examined.

13. The initial burden was on the workman to prove that he had remained under the employment of the Corporation as a workman for a continuous period of at least one year as envisages u/s 25-F of the I.D. Act. Therefore, his termination without notice or compensation in lieu of notice was in violation of the said section.

14. The workman in his affidavit has deposed that he was engaged as a daily wager by the non-applicant on 25-4-85 and he had worked under the non-applicant during period 25-4-85 to 31-3-91 as per particulars given in the documents Ex. 1 to Ex. 21 but his services have been terminated on 1-4-91 without any notice or compensation in lieu of notice in violation of the provision of section 25-F. In cross examination he has admitted that he had worked at the different branches of the non-applicant during said period and he has been paid for the period he actually worked. He has also admitted that Ex. W-1 and Ex. 4 to Ex. 21 are type copies and Ex. W-4, 8, 9, 12 and 16 are not documents of the Corporation and have been prepared by him.

15. The management witness Sh. M. L. Chaudhary, Manager, has deposed in his affidavit that he was engaged for filling water on contract basis on need basis as and when required. He was never engaged in any capacity by the non-applicant. The workman did not work for 240 days in any year. In cross examination he has admitted that he has given his affidavit on the basis of reply filed on behalf of the management and the record was not perused by him at the time of filing his affidavit in evidence. He has stated that record pertaining to the workman was destroyed but he could not state when it was destroyed.

16. The learned representative on behalf of the workman has contended that the workman had worked continuously under the employment of the non-applicant during period 25-4-85 to 31-3-91 despite this his services have been terminated on 1-4-91 in violation of provision of section 25-F of the I.D. Act. He has further contended that though it has been pleaded on behalf of the Corporation that the workman was engaged on contract basis for filling water but no documents pertaining to contract has been produced. He has also contended that vide application dated 31-1-2005, 30-1-2005 and 20-1-2006 the workman made request to call for documents from the

non-applicant but despite directions to the non-applicant for production of required documents vide order dated 24-3-2005 and 24-5-2010, the Corporation did not produce them and plea was taken that the documents being 20 years old had been destroyed. Since, the workman had challenged the termination order just after his termination in writ petition filed before the High Court and this fact was in the knowledge of the non-applicant, the plea taken by the non-applicant cannot be relied upon. He has furthermore contended that in cross examination the management witness himself has admitted that he did not peruse the record pertaining to the case and affidavit has been submitted by him on the basis of reply therefore, his evidence is not based on any record. The learned representative on behalf of the workman has urged that in reply to the claim statement there is no plea on behalf of the management that having worked in different branches total working days of the workman cannot be taken into consideration for determining continuous service therefore, in absence of pleadings, the contention on behalf of the Corporation in this regard is not sustainable. He has further urged that the contention on behalf of the Corporation is contrary to the definition of employer under section 2(g) of the I.D. Act.

17. The learned representative has submitted that from the deposition of the workman and documents Ex. W-1 to Ex. W-20 it is well established that workman had worked during period 25-4-85 to 29-3-91. In support of his contention he has relied on 1998(2) WLC(72), 2001(89) FLR 32, 2010 LAB IC 1089 and 2006(1) WLC 302, 2002 WLC(UC) 566 Raj. H.C.

18. Per contra, the learned representative on behalf of the Corporation has submitted that admittedly the workman had worked in different branches of the Corporation therefore; his total working days cannot be taken into consideration for determining continuous service. He has further submitted that the workman has not worked for 240 days in preceding 12 months from the date of his termination therefore, provisions of Section 25-F are not applicable. In support of his contention reliance has been placed on 2010(2) WLC 675 and AIR 2005 SC 660.

19. I have given my thoughtful consideration on the rival submissions on behalf of both the sides and scanned the relevant documents placed on record.

20. The workman in his affidavit has stated that he had worked as daily wager during period 25-4-85 to 31-3-91 under the non-applicant and the particulars of the working days during said period have been mentioned in his documents Ex. W-1 to Ex. W-21.

21. The workman in his claim statement has categorically mentioned that he had worked as per details given in para 1 of his claim statement. As per para 1 the

total working days of the workman during period 25-4-85 to 31-3-91 are as under :—

Year	Period as per para 1 of the claim statement	Total working days	
1	2	3	
1985	25-4-85 to 22-6-85 14-10-85 to 17-10-85	59 days 4 days	63 days
1986	15-4-86 to 31-7-86 4-8-86 to 11-8-86 24-11-86 to 27-11-86	108 days 8 days 4 days	120 days
1987		198 days	
1988		203 days	
1989		49 days	
1990		122 days	
1991		69 days	

22. As per his pleadings in para 2 of the claim statements after including weekly holidays the total working days in the year 1987 & 1988 were more than 240 days.

23. The workman in his affidavit has stated that he had worked during the period 25-4-85 to 31-3-91 as per details given in Ex. W-1 to Ex. W-21. Documents Ex. W-1 to Ex. W-3, Ex. W-5, Ex. W-6 and Ex. W-7, Ex. W-10, Ex. W-11, Ex. W-13 to 15 and Ex. W-17 are type copies of the certificates said to be given by Branch Managers at the relevant time. Ex. W-4, Ex. W-8, Ex. W-9, Ex. W-12, Ex. W-16 are chart prepared by the workman himself showing the working days in the year 1986, 1987, 1988, 1989 and 1990 respectively.

24. As per certificates produced by the workman, he had worked during period mentioned below :

Documents	Period	Total working days
Ex. W-1	25-4-85 to 22-6-85	59 days
Ex. W-2/5	15-4-86 to 3-6-86	49 days
Ex. W-3	4-8-86 to 11-8-86	8 days
Ex. W-6	2-6-86 to 31-7-86	60 days
Ex. W-7	4-8-86, 11-8-86, 24-11-86 to 27-11-86, and 6-3-87	7 days
Ex. W-10	1-3-88 to 19-4-88	49 days

1	2	3
Ex-W-11	17-6-88 to 20-8-88	49 days
Ex-W-13	1-1-89 to 31-12-89	24 days
Ex-W-14	27-5-89 to 31-5-89 1-6-89 to 26-6-89 1-7-89 to 25-7-89	56 days
Ex-W-15	28-11-89 to 30-11-89 1-12-89, 2-12-89, 5-12-89, 6-12-89 & 7-12-89	8 days
Ex. W-17	20-7-90 to 31-7-90 1-8-90 to 31-8-90	43 days
Ex. W-19	12-10-90, 20-10-90, 25-10-90 to 27-10-90, 29-10-90 to 31-10-90	9 days

25. As per chart Ex. W-4, Ex. W-8, Ex. W-9, Ex. W-12 Ex. W-16, the workman has worked during year 1986, 1987, 1988, 1989, 1990 for period 126 days, 196 days, 203 days, 142 days and 300 days respectively.

26. Admittedly, these charts are not documents of management and the same have been prepared by the workman himself. The total number of days shown in the said chart for respective period is different from the period mentioned in the para 1 of the claim statement. In pleadings he himself has admitted that total number of working days in the year 1990 were 122 days only whereas in Ex-16 chart prepared by him he has shown 300 working days in the year 1990. Thus, the number of the working days figuring therefrom cannot be relied upon.

27. In remaining documents Ex-W-18 is bonus calculation sheet for the year 1989-90. Ex-W-20 dated 11-10-90 is requisition form for stationary. Ex-W-21 is a letter wherein approval was sought for appointment of the workman as temporary peon against leave vacancy. These documents are not relevant for reckoning the actual working days of the workman.

28. As per chart of working days Ex. W-4, Ex. W-8, Ex. W-9, Ex. W-12, and Ex. W-16 the workman had worked in different branches. 2010(2) WLC 675 Raj. H.C., it has been held that workman having worked in different branches his total working cannot be taken into consideration for determining continuous service. In AIR 2005 SC 660 Hon'ble Apex Court has observed that number of days of work put in by the workman in broken periods cannot be taken as continuous employment for purposes of Section 25-F.

29. The workman in his cross examination has admitted that he had worked in different branches. It is also evident from the chart of working days submitted by him that he had worked in different branches therefore, working days in different branches cannot be taken into consideration for determining continuous service. Even if the working days of the workman in all the branches are

taken into consideration, it is not established that the workman had worked uninterruptedly in any year or he had worked for 240 days during preceding 12 months from the alleged date of his termination i.e. 1-4-91.

30. The learned representative on behalf of the workman has contended that the management has not produced documents as per directions given by the Tribunal vide its orders dated 14-3-05 & 24-5-10 therefore, adverse inference should be drawn against the management. Controverting it, the learned representative for the management has urged that documents being 20 years old had been destroyed as per circular dated 20-3-96 therefore; adverse inference cannot be drawn against the management for non-production of the documents.

31. It is well settled that if a party despite possession of the best evidence had not produced the same, the court may or may not presume that it would have gone against the same. Adverse inference may be drawn if a party in possession of the documents deliberately withheld such documents or despite direction by a court the documentary evidence is withheld.

32. In present case, on perusal of the record it reveals that on 31-1-05 an application was filed by the workman to call for certain documents from the management. The application was disposed of vide order dated 14-3-05 with following observations :

"Thus, inspite of the facts that it has been earlier disclosed on behalf of the non-applicant that the connected record is not available with the management, surprisingly, the workman has now at a delayed stage urged to call upon the corporation to produce such documents and such submission is devoid of any substance which cannot be maintained. The Ld. Representative in support of his submission has drawn my attention towards the decisions reported in 2001(2) LLJ 199 & 1992 (2) WLC 46. But their facts do not bear resemblance with the controversy on hand and the Ld. Representative does not gain any assistance from them. However, the workman has also sought that the circular dated 20-3-96 containing the instruction to destroy the old record be summoned from the non-applicant, which the Ld. Representative for the non-applicant assures to file on the next date. He is accordingly directed to produce it on the next date. The application stands disposed of in the aforesaid manner.

33. Subsequently, the workman moved another application on 20-1-06 along with photocopies of certain documents & request was made for taking the same on record. It was also requested that original of the said documents be called for from the management. This application was partly allowed vide order dated 25-5-10 & directions were given for production of the original documents mentioned at serial no. 3 & 4 of the application

i.e. application of the workman dated 26-10-87 & copies of gate passes of certain dates.

34. The management has not produced the original gate passes on the ground of non-availability of old record but the copies gate passes have been produced by the workman. Upon perusal of the copies it reveals that gate passes are pertaining to dates 4-5-87, 19-9-87, 9-12-87, 4-1-90, 10-3-88 & 22-4-88 only.

35. In view of the orders dated 14-3-05 & 25-5-10 in respect of the applications of the workman dated 31-1-05 & 20-1-06 respectively, it cannot be said that despite direction of the Tribunal the management has intentionally withheld the documents. The facts of the decisions referred to by the learned representative on behalf of the workman are distinguishable. Thus, the contention on behalf of the workman for drawing adverse inference against the management for non-production of the document is not sustainable.

36. It is evident from the documents Ex-1 to Ex-21 that, the workman had worked for intermittent period only. It is also evident from the working days shown by the workman in his claim statement that he had not worked "uninterruptedly" during years 1987 & 1988 or any year as per Section 25(b) (1) of the I.D. Act.

37. The workman has pleaded that he had worked for 198 days & 203 days in the year 1987 & 1988 respectively & after including weekly holidays his total working days come to more than 240 days. But weekly holidays of the whole year cannot be taken into consideration while reckoning total working days during any calendar year. Only those weekly holidays which fell during period the workman had actually worked can only be considered. Thus, the workman has failed to establish that he had worked for more than 240 days in the years 1987 & 1988.

38. Though in his pleadings he has not mentioned any date of termination but in his affidavit he has alleged that his services were terminated on 1-4-91. Admittedly, as per pleadings in his claim statement the total working days in the year 1990 & 1991 are 122 days & 69 days only. Thus, it is evident from pleadings in para 1 of the claim statement that the workman had not worked for at least 240 days during preceding 12 months from the date of his termination as envisaged u/s 25-(b) (2).

39. In view of the above discussion, the workman has failed to establish that he had worked continuously for one year as envisaged u/s 25-F of the I.D. Act. Therefore, provisions of Section 25-F are not attracted. Accordingly, this point is decided against the workman.

Point no. II

40. It is pertinent to mention that earlier it was pointed out by the parties that in reference order Section 25-G has been mentioned instead of Section 25-H therefore, in

reference Section 25-G out to have been replaced by Section 25-H in terms of reference. Vide order dated 14-5-04 it has already been held that the dispute also relates to the reemployment of the workman after whose termination it is alleged that new hands were recruited. It clearly refers to the violation of provision u/s 25-H instead of Section 25-G which appears to be a typographical error that 25-G has been mentioned in place of 25-H and it was conceded on behalf of the parties that if the word section 25-G are read as 25-H, they have no objection.

41. The workman in his affidavit has stated that at the time of termination junior to him were working but there is no such pleading in his statement of claim. He has not disclosed the names of those persons who were junior to him therefore, he has failed to establish that any junior to him was retained while terminating of his service in violation of Section 25-G of the I.D. Act.

42. The workman has alleged that after termination of his service new hands have been recruited by the non-applicant. The management witness has denied this fact that new hands were recruited after termination of the services of the workman.

43. Neither in the pleadings nor in his affidavit the workman has disclosed the name of any person said to be recruited after his termination. In cross-examination he has admitted that he did not remember the names of the persons who were given employment after his termination. Thus, the workman has failed, to prove that any fresh hand was recruited after his termination in violation of Section 25-H of the I.D. Act.

44. In view of above, this point is also decided against the workman.

Point No. III.

45. The learned representative on behalf of the Corporation submitted that the claim of the workman deserves to be rejected on the sole ground of inordinate delay in raising the dispute. Controverting it, the learned representative for the workman has contended that the workman earlier filed a writ petition against his termination. Later on he withdrew his petition on 4-7-1996. Thereafter, the workman raised the industrial dispute before wrong forum i.e. Labour Department of the State Government. Therefore, delay has been explained by the workman, further, the claim of the workman cannot be rejected merely on the ground of delay. In this respect he has relied on 1970(20)FLR 297, 2001 (90)FLR 754, 2006 SCC (L&S) 702, 2005 (4) WLC 90, 2011 (128)FLR 121.

46. It is settled position that claim of the workman cannot be rejected merely on the ground of delay. Only inordinate delay is fatal and the delay can be considered while granting relief.

47. The workman has pleaded that earlier he filed a writ petition challenging his termination but later on he

withdrew the same in the year 1996. The copy of the reply filed by the non-applicant in writ petition 5345/91 has been placed on record by the workman. In view of the above facts the contention on behalf of the non-applicant is not sustainable and this point is decided against the non-applicant.

Point No. IV

48. It has been contended on behalf of the non-applicant that the provision of Industrial Disputes Act are not applicable in the matter under non-applicant's Rules. In this regard, he has relied on AIR 1994 SC 1343. Controverting it, the learned representative for the workman has urged that Life Insurance Corporation is an 'industry' and the applicant is workman as defined u/s 2 therefore, provisions of I.D. Act are applicable. In this regard, he has referred decisions 2008(118) FLR 1189, 2002(1)LLN 305.

49. I have given my thoughtful consideration on submissions of both the sides.

50. In AIR 1994 SC 1343 in contract of employment the LIC was entitled not to confirm probationer in case he fails to achieve target fixed in this regard for his performance. The services of the probationer were terminated without any notice on the said ground. Hon'ble Apex Court held that such termination being effected under stipulation contend in contract read with Regulation 14 is not retrenchment within Section 2(00) of the I.D. Act. Further, Regulation framed under 48(2)(00) of the L.I.C. Act have overriding effect over provision of I.D. Act. The facts of this case are distinguishable.

51. In 2008 (118) FLR 1189 Hon'ble Apex Court has held that LIC is a "state" within the meaning of Article 12 of the constitution of India. Its duties and functions are provided for under the 1956 Act. The same by itself, however, having regard to the definition of "industry" as contained in Section 2(j) of the Industrial Disputes Act, 1947, cannot take within a umbrage the functions of the Life Insurance Corporation outside its purview.

52. In view of the legal proposition laid down in decision *supra*, it cannot be said that the provisions of Industrial Disputes Act are not applicable in the present matter. Accordingly, this point is decided against the non-applicant.

Point No. V.

53. It has been contended that as per the decision of the Apex court in special appeal 13093/92 the workman was entitled to be reappointed but copy of such decision has not been placed on the record. Further, in view of the terms of the reference under adjudication, the question regarding entitlement of the workman for appointment as per decision of the Hon'ble Apex Court is beyond the scope of the reference.

54. Since, point No. I & II have been decided against the workman and he has failed to prove that alleged action of the management in terminating his services was in violation of Section 25-F and has also failed to prove that any fresh hand junior to him was employed in violation of provision of Section 25-H, the workman is not entitled for his reinstatement.

55. In view of the finding on point No. I, II & V, it is held that alleged action of the management was not in violation of Section 25-F & 25-H, of the I.D. Act. Resultantly, the workman is not entitled to any relief. The reference under adjudication is answered accordingly.

56. Award as above.

57. Let a copy of the award be sent to Central Government u/s 17 (1) for publication.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 178.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी/80/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-17012/12/2001-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 178.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/NGP/80/2001) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 21-11-2011.

[No. L-17012/12/2001-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE SHRI J. P. CHAND, PRESIDING OFFICER-
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/80/2001

Date: 27-09-2011.

Party No. 1 : The Sr. Divisional Manager,
LIC of India, Divisional Office,
Jeevan Prakash, Shri Krushna Peth,
Amravati (M.S.)-444601

Versus

Party No. 2 : Shri Santosh S/o. Babulal Tak
R/o. Navlababa ward,
Tah-Pusad Distt. Yavatmal (M.S.)

AWARD

(Dated: 27th September, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government had referred the industrial dispute between the employers, in relation to the management of LIC of India and their workman Shri Santosh Babulal Tak, for adjudication, as per letter No. L-17012/12/2001-IR(B-II) dated Nil, with the following schedule :—

"Whether the action of the management in relation to Pusad Branch. of LIC of India to terminate Shri Santosh Babulal Tak wet sweeper from service vide order no. Ref. 98-A/05 dated 10-06-2000 is legal and justified? If not, what relief is the workman is entitled to?"

2. On receipt of the reference, parties were noticed to file their respective statement of claim and written statement, in response to which, the workman, Shri Santosh Babulal Tak ("the workman" in short) filed the statement of claim and the management of Life Insurance Corporation of India ("party no. 1" in short) filed the written statement.

Adumbrated in brief, the case of the workman as projected in the statement of claim is that he worked as a wet sweeper with party no. 1 at Pusad branch office from 26-09-1991 to 18-06-2000 continuously without any break and his services were terminated by the party no. 1 as per the termination order dated 18-06-2000 w.e.f. 16-06-2000, but actually he rendered service till 18-06-2000 and as such, the order of termination with retrospective effect is illegal and before the termination of his services, the provisions of Section 25-F of the Act were not complied with and neither one month's notice nor one month's pay in lieu of notice nor retrenchment compensation was paid to him and therefore, the termination is illegal and though he submitted number of applications for regularization of his services, his services were not regularized and the post in which he was working is still vacant and as such, there is no hindrance to reinstate him in services and the party no. 1 did not publish any seniority list, seven days before the termination of his service and thus violated Rule-77 of the Industrial Disputes (Central) Rules' and keeping the post of wet sweeper vacant for years together by the party no. 1 is illegal and he being the senior most employee is entitled for appointment as a regular wet sweeper.

The workman has prayed to declare the order of termination of his services dated 18-06-2000 to be illegal and for reinstatement in service with continuity and fullback wages.

3. It is necessary to mention here that as the party no. 1 neither filed the written statement nor contested the case, on 12-03-2002, award was passed in favour of the workman ex-parte. However, the party no. 1 filed an application to set aside the ex-parte award dated 12-03-2002 and as per orders dated 27-04-2005; the ex-parte award was set aside. On 30-08-2005, the party no. 1 filed the written statement.

4. The party no. 1 in its written statement has pleaded inter-alia that the workman worked at Pusad branch office of LIC of India from 26-06-1991 to February 1993 as a wet sweeper for one hour every day on the working days only on casual basis and he was engaged for two hours daily from March 1993 to 13-06-2000, on casual basis and his services were discontinued vide the communication dated 18-06-2000 and the workman did not work till 18-06-2000 and the notice was not retrospective and as the workman was working on casual basis, there was no necessity of giving him notice in advance for discontinuation of his services or one month's pay in lieu of notice and there was no question of regularizing of the services of the workman as he was engaged on casual basis and no post of wet sweeper is vacant in Pusad branch of LIC and a regular part time sweeper in Pusad branch office has already been employed to carry out wet as well as dry sweeping of the office and there is no vacancy and the workman is not entitled to any relief.

It is further pleaded by the party no. 1 that Life Insurance Corporation of India ("LIC" in short) is a body corporate established under the provision of section 3 of the Life Insurance Corporation Act, 1956 ("Insurance Act" in short) and in accordance with the provisions of section 23(1) of the Insurance Act, it is empowered to engage such number of employees as it deems fit to carry out its functions and business and under section 48 of the Insurance Act, the Central Government is empowered to make rules in respect of the aforesaid enactment and in accordance with the provisions of section 49 of the Insurance Act, LIC has framed regulations which are known as Life Insurance Corporation of India (Staff) Regulations, 1960 ("the Regulations" in short) and section 49 of the Insurance Act before its amendment by the amended Act of 1981, empowered the LIC to make regulation providing for the terms and conditions of services of the employees of LIC including the transferred employees and accordingly, the LIC framed the regulations and as a consequence of the Amendment Act among others, the Central Government was empowered to make rules to provide for the terms and conditions of services of the employees of LIC, vide clause (cc) of sub-section 2 of section 48 and the Regulations and other provisions in force, immediately before the commencement of the Amendment Act shall be deemed to be the Rules made by the Central Government under section 48(2) (cc) and (c) and the Rules made by the Central Government shall have the effect notwithstanding anything

contained in, among others, the Industrial Disputes Act, 1947 or any other law for the time being in force and the Regulations are having statutory effect and thus the Regulations are having overriding effect notwithstanding anything contained in the Act or any other enactment, settlement or award for the time being in force and Regulation 4 of the Regulations empowers the Chairman of LIC to issue instructions from time to time to carry out the provisions of the Regulations and Regulation 8(1) of the Regulations provides that, Notwithstanding anything contained in these Regulations, a Divisional Manager may employ staff in class III and IV on a temporary basis subject to such general or special directions as may be issued by the Chairman from time to time and according to Regulation 8(2), "no person appointed under sub-regulation (1) shall only by reason of such appointment be entitled to absorption in the service of LIC or claim preference for recruitment to any post" and the Chairman of LIC has accordingly issued instructions, providing for amongst others, the appointment of part time sweeper in the offices of the corporation. The party no. 1 has also pleaded that as per the instructions issued by the Chairman in pursuance of Regulation 4, a sweeper could be appointed on part time and temporary basis for a duration of two hours, three hours or four hours per day, if the sweepable area is less than 4000 Sq. ft, between 4000 Sq. ft. to 5000 Sq. ft. and more than 5000 Sq. ft respectively and the workman appointed on regular part time basis are entitled to certain benefits and privileges and they are appointed following the procedure of recruitment as applicable to whole time salaried employees of LIC and as per the instructions, one Shri K.R. Kare was appointed as part time sweeper w.e.f. 14-08-1986 for two hours per day and as Pusad Branch Office was shifted to its own premises, where the sweepable area exceeded 5000 Sq. ft, working hours of Shri Kare were increased to four hours per day w.e.f. 15-02-1993 and Shri Kare is still employed at Pusad branch office as regular part time sweeper carrying out the job of both wet and dry sweeping and the workman was engaged for carrying out the work of wet sweeping w.e.f. 26-06-1991 on a casual basis by the officers of the said branch taking into account the difficulties faced by the branch office locally and as the workman was not appointed as a regular part time employee, the procedure of appointment of regular part time employee was not followed in his case and neither any appointment letter was issued to him nor any salary roll number was allotted to him and as the workman was not appointed on regular basis, by following the requisite procedure of recruitment, as stipulated in the Regulations, he has no vested right to continue in the said post and accordingly, his services were discontinued vide communication dated 18-06-2000 and his discontinuation from services did not attract the provisions of the Act and, therefore, there was no question of compliance of the provisions of section 25-F and 25-G of the Act and the issue of termination of the services of the employees appointed on temporary basis

had come up for consideration before the Hon'ble Bombay High Court in W.P. No. 1655 of 2002 (LIC of India Vs. Ravindra V. Ladhe and others) and the Hon'ble Court upheld the termination and the workman is not entitled to any relief.

5. Parties have led oral evidence in support of their respective claims, besides placing reliance on documentary evidence. The workman, who examined himself as a witness has reiterated the facts mentioned in the statement of claim in his examination-in-chief, which was on affidavit. However, in his cross-examination, he has admitted that he worked for one hour daily excluding holidays from 1991 to February 1993 and he was discontinued from service from 16-10-2000 and he has not filed any appointment letter or copy of application submitted by him for his appointment. He has further admitted that management had engaged a regular sweeper on part time basis at Pusad branch and wages was paid to him deducting the payment for holidays and he was not allocated a permanent salary roll number and there was no deduction of provident fund from his salary and he did not appear in any interview or examination conducted by the department.

6. One Shriram, a Manager (Personnel and Industrial relation) of LIC has been examined as a witness on behalf of the party no. 1. The evidence of the witness for the party no. 1 is in the same line as taken by party no. 1 in the written statement. It is necessary to mention here that the evidence of Shriram, which is on affidavit has remained unchallenged, as neither the workman nor his advocate appeared to cross-examine him. It is also necessary to mention here that as the workman remained absent from 16-12-2008 and did not take part in the case, the case proceeded ex-parte against him.

7. At the time of argument, it was submitted by the learned advocate for the party no. 1 that as the workman was appointed temporarily on part time basis, his case is governed by Regulation 8 of the Regulations, having effects over the Act and as such, the protection of section 25-F is not available to the workman and the workman is not entitled for any relief. In support of such contentions, the learned advocate for the workman placed reliance on the judgments of Hon'ble Bombay High Court in Writ Petition no. 1655 of 2002 (LIC Vs. Ravindra V. Ladhe and Others) and in Writ Petition no. 1655 of 2003 (LIC vs. S.G. Solanki & Another).

8. The Hon'ble High Court in the decision in Writ Petition no. 1655 of 2002 (Supra) have held that, "The power to terminate the services of a temporary employee is implicit in the very nature of engagement under regulation 8. Temporary engagement is necessarily temporary and can, therefore, be brought to an end by the employer in accordance with the governing provisions of contract and subject to any legal stipulation regulating his right. There is no merit in the submission urged on behalf of the first

and second Respondents that sub-section (2c) of section 48 deals only with the question of retrospectively. Ex-facie a bare reading of the provision will demonstrate that the submission is not correct, sub-section (2c) specifically lays down that the provisions of clause (cc) of sub-section (2) of section 48 as well as any rules made under clause (cc) shall have effect inter-alia notwithstanding anything contained in the Industrial Disputes Act, 1947. In any case, the interpretation of the provisions is no longer *res integra* but is covered by the decision of the Supreme Court in Venugopal's case. The Industrial Tribunal has proceeded on the basis that the workman had completed 240 days of service and that they were entitled to the protection given under section 25-F. The protection of section 25-F is plainly unavailable once the provisions of the Industrial Disputes Act, 1947 are overridden.

9. In the decision in writ petition no. 1655/2003 (Supra), the Hon'ble High Court has held that, "Respondent was appointed as part time sweeper and worked from 07-07-1988 till 04-07-1994, when her services were terminated without notice or payment of compensation.

The CGIT held that she is retrenched and in violation of section 25-F she should be reinstated. It was observed that she was appointed temporarily on part time basis and would be governed by regulation 8. The Staff Rules are rules within meaning of Section 48(2)(cc) of LIC Act and have overriding effect over Industrial Disputes Act. Hence protection of Section 25-F is not available. CGIT Award quashed".

10. The principles enunciated by the Hon'ble Courts in the two decisions as mentioned above squarely apply to the present case at hand. It is clear from the evidence on record and the own documents of the workman that he was a casual part time temporary worker and he worked for one hour per day from 26-06-1991 to February 1992 and for two hours per day from March 1992 till he was discontinued on 14-06-2000 (as per the statement of claim showing particulars of year wise/month wise attendance of the workman filed by himself as document no. 2).

As the workman was appointed temporarily on part time basis, the provisions of regulation 8 of the Regulation are applicable to his case and sub-regulation (2) of regulation 8 contemplates that, "no person appointed under sub-regulation (1) shall only be reason or such appointment be entitled to absorption in the service of the corporation or claim preference for recruitment to any post" and as the Regulation have overriding effects over the Act, the protection of sections 25-F and 25-G of the Act are not available to the workman. Hence, the workman is not entitled to any relief. Therefore, it is ordered :

ORDER

The action of the management in relation to Pusad Branch of LIC of India to terminate Shri Santosh Babulal Tak

wet sweeper from service vide order no. Ref. 98-A/05 dated 10-06-2000 is legal and justified. The workman is not entitled for any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 179.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जवाहरलाल नेहरू पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-1/1/ऑफ 2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-31011/5/1999-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 179.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-1/1 of 2000) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jawaharlal Nehru Port Trust and their workmen, which was received by the Central Government on 21-11-2011.

[No. L-31011/5/1999-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, MUMBAI

JUSTICE G. S. SARRAF, Presiding Officer

Reference No. CGIT-1/1 of 2000

Parties: Employers in relation to the management of Jawaharlal Nehru Port Trust

And

Their Workmen

APPEARANCES:

For the Management	: Shri Lancy D'Souza, Management Representative.
For the Union	: Shri Jai Prakash Sawant, Adv.
For Speedy Transport Pvt. Ltd.	: Mr. Kapadia
For Central Warehousing Corporation	: Absent

For Guardwell Safe Services Pvt. Ltd. : Absent

For Competent Security and Detective Services : Absent

State : Maharashtra

Mumbai, dated the 5th day of October, 2011.

AWARD

2. In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 the Central Government has referred the following dispute for adjudication to this Tribunal.

Whether the action of the management of Jawaharlal Nehru Port Trust, Sheva, Mumbai in not absorbing 109 security guards and security supervisors as per list enclosed, on their permanent roll is legal and justified? If not, to what relief these workmen are entitled?

2. Learned counsel for the second party union has filed an application with the prayer that this Tribunal may dispose of the present reference for want of prosecution and the second party be given liberty to take appropriate steps at an appropriate time for redressal of its grievance.

3. Learned counsel for the first party has no objection if the reference is decided in terms of the application filed by the second party union.

4. In view of the above application of the second party union it is clear that the second party union is not entitled to any relief in these proceedings.

5. The matter stands disposed of as above and the second party union is given liberty to take appropriate steps at an appropriate time for redressal of its grievance.

An Award is made accordingly.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 180.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार ओरियन्टल बैंक ऑफ कामर्स के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, जयपुर के पंचाट (संदर्भ संख्या 39/2008) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-12012/110/2007-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 180.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 39/2008) of the Central Government Industrial Tribunal/Labour Court, Jaipur now as shown in the Annexure in the Industrial

Dispute between the employers in relation to the management of Oriental Bank of Commerce and their workman, which was received by the Central Government on 21-11-2011.

[No. L-12012/110/2007-IR(B-II)]
SHEESH RAM, Section Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL- CUM-LABOUR COURT, JAIPUR

PRESENT:

N.K. PUROHIT, Presiding Officer

I.D. 39/08

Reference No. L-12012/110/2007-IR(B-II)

dated: 1-2-2008

Sh.Mangal Chand Meena
S/o Sh. Rameshwar Lal Meena
Ward No.20, Near Bus Stand,
Sardar Shahar, Churu (Raj.)

V/s

The Deputy General Manager
Oriental Bank of Commerce
Sukhadia Circle, Sri Ganganager.

AWARD

10-10-2011

1. The Central Government in exercise of the powers conferred under clause (d) of Sub-section 1 & 2(A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following Industrial dispute to this tribunal for adjudication which is as under :—

"Whether claimant Shri Mangal Chand Meena was in continuous employment in Oriental Bank of Commerce from 14-6-2004 to 30-3-2007 as daily rated employee? If yes, his discontinuation from the work by the bank management from 1-4-2007 was legal & justified? If not, what relief the workman is entitled to and from which date?"

2. In pursuance of the reference order, registered notices were issued to both the parties. Upon perusal of the record it appears that Sh.B.S.Ratnu, Advocate appeared on behalf of the non-applicant on 23-4-2010 & Sh.T.M.Soni, Advocate appeared on 25-5-2010 on behalf of the workman & claim statement was filed on 7-9-2010. At the stage of filing reply to the claim statement none appeared on behalf of the workman on 28-12-2010, 10-3-2011, 26-5-2011, therefore, ex-parte proceedings were drawn against him on 26-5-2011. It also appears that representative on behalf of the non-applicant sought adjournment for filing reply on 14-7-2011 but on subsequent dates 1-9-2011 &

20-9-2011 he also did not appear on behalf of the non-applicant therefore, case was reserved for passing award.

3. After filing claim statement the workman has not appeared to substantiate his claim by adducing any oral or documentary evidence. Except the claim statement there is no material on record on the basis of which the reference under consideration may be adjudicated on merits. It appears that the workman is not willing to contest the case further.

4. Under these circumstances "No Claim Award" is passed in this matter. The reference under adjudication is answered accordingly.

5. Award as above.

N. K. PUROHIT, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ.181.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूको बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, धनबाद के पंचाट (संदर्भ संख्या 12/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-12-2011 को प्राप्त हुआ था।

[सं. एल-12012/281/1992-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 181.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 12/1998) of the Central Government Industrial Tribunal/Labour Court-2, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of UCO Bank and their workman, which was received by the Central Government on 21-11-2011.

[No. L-12012/281/1992-IR(B-II)]
SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Present :

SHRI KISHORI RAM, Presiding Officer

In the matter of an Industrial Dispute under Section (10)(1) (d) of the I.D. Act, 1947

Reference No. 12 of 1998

Parties: Employers in relation to the management of Uco Bank, Patna and their workman.

APPEARANCES:

On behalf of the Workman	: Mr. K. Chakravorty, Advocate
On behalf of the Employers	: Mr. D. K. Verma, Advocate

State : Jharkhand

: Industry : Banking

Dhanbad, Dated the 18th October, 2011

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 had referred the dispute to the Central Government Industrial Tribunal No. 1, Dhanbad vide Ministry's Order No. L-12012/281/92 dt. 4-12-92 which was registered there as Ref. No. 142/92. Consequent upon Ministry's Order No. L-12012/281/92-IR (B-II) dt. 5-2-1998, the said Reference has been transferred to this Tribunal under Section 7-A read with sub-section (1) of Section 33-B of the I.D. Act, 1947 and the aforesaid Reference has been registered in this Tribunal as Ref. No. 12/98 for adjudication. The schedule of the reference is as under :—

"Whether the action of the management of UCO Bank in issuing Show cause notice for disengagement of Shri Bipin Kumar Verma from daily wages engagement and in not absorbing the workman on regular basis is justified? If not, to what relief the workman is entitled?"

2. The pleaded case of the sponsoring Union is that workman Bipin Kumar Verma has been working as a permanent workman against permanent vacancy in the UCO Bank sine 28-2-1989 continuously by putting in 240 days attendance in each calendar year. He was appointed and engaged by the Bank to perform the job of permanent nature, for which the Bank has been paying the wages lesser than that of other workman. Despite the settled law of the land providing for the entitlement of all workman to equal wages for performing equal nature of job, the Bank, the Public Sector undertaking, is still exploiting the poor workman by not paying the equal pay for equal work. The existence of any exploitative terms as offered by the employer as easily accepted by the workman does not debar him from the claim for his legal wages and other benefits. As soon as the workman began to demand for equal pay and regularisation the Management annoyed and biasedly issued him a threatful letter as a show cause notice to disengage him for the reason mentioned therein. The workman replied to the show cause emphatically denying the charge. He had represented to the management about his already acquired permanent status. While the Management was contemplating the removal of the workman from his service on false and frivolous show cause, the Union raised the industrial dispute before the Asstt. Labour Commissioner (Central), Dhanbad. But the adamant anti-labour attitude of the management resulted in failure of the conciliation proceeding, hence the reference for adjudication. Thus the action of the Management in issuing show cause notice for disengagement of the workman from daily wage engagement and in not regularising him is unjustified.

3. Further it is pleaded in rejoinder in behalf of the workman that the reference is legally maintainable. The

sponsoring Union is the major one of the establishment, and mostly workmen are its members. The Union always refused to enter into any settlement against the interest of the workman and contrary to the provision of law. Even an individual dispute is also legally maintainable under the I.D. Act. The Union had represented before the management several times for regularisation of the concerned workman at par with other permanent employees. The alleged bipartite settlement was arrived at between the Management and its some pocket Union. It is not binding upon the workman, as it is illegal, invalid, arbitrary, and void ab initio. 240 days attendance in each calendar year is not required for regularisation.

4. Whereas, refuting the aforesaid allegations the case of the management is that the Provincial Bank Employee Association being unsupported by the workmen of the establishment has no locus standi to sponsor the case, as three Trade Unions—All India UCO Bank Employees Federation, the United Commercial Bank Employee Association and All India United Commercial Bank Staff Federation are functioning in the establishment of the Bank, and all the employees of UCO Bank working at different establishment are members of aforesaid concerned Union, but the workman is not a member of the sponsoring Union which is complete a stranger. The present reference is an individual not an industrial dispute. So it is liable to be summarily rejected. Workman Bipin Kumar Verma was firstly engaged on 28-2-1989 as a daily rated worker for performing certain miscellaneous jobs, then was subsequently engaged from time to time for jobs for miscellaneous nature in exigency. His irregular engagement in lack of sanction from the Competent Authority was all along invalid. He was not appointed nor selected by the Competent Authority according to recruitment procedure. Several persons initially engaged at different branches of the Bank in violation of the directions of the competent Authorities of the Bank were allowed to continue their employment for a number of years at the several demands of the aforesaid different trade Unions for their regularisations.

5. Further case of the Management is that as the terms and conditions of the Memorandum of Settlement dated 12-10-1989 as arrived at between the Management and the concerned Trade Unions for empanelment and absorption of persons of daily wages the full days casual workers who had discharged their normal duties of Bank in subordinate cadre for 240 days or more in a year uninterruptedly during the period of 3 years immediately proceeding the aforesaid settlement and the persons engaged as Water Boy on daily wage would be considered for absorption. But the concerned workman engaged for the first time as on 28-2-1989 who did not complete 240 days attendance by 12-10-1989 was not eligible for his permanent absorption as per the circular dt. 19-10-1989 issued by the Management. After finalisation of all such cases of regularisation, most of the casual workers as well

as the concerned workmen was issued the show cause notice dt. 16-1-1992 for disengagement from his services and he also submitted his reply to it. He was declared surplus to the requirement of the management. The Industrial Dispute as raised by the workman before the ALC (C), Dhanbad, resulted in its reference which is baseless. No person engaged as daily rated or casual worker by the local officer of the Bank through back door method should be regularised against the recruitment rules. The provisions of the Industrial Dispute (Central) Rule 58 were complied with. The said settlement as the Circular dt. 19-10-1989 became binding upon the Unions concerned as well as upon all the workmen of all branches of the Bank on the roll at the relevant time or thereafter. The workman falling outside the settlement and the Circular has no right to regularisation in his service.

6. Specifically denying the allegations of the workman, the Management in its rejoinder had stated that the workman was engaged by unauthorised official not by the competent Authority of the Bank, for temporary/casual job, daily wages basis which was being paid to him. The Management strictly followed the principle of 'equal pay for equal work' though fixation of different grades for different categories of workmen as per their status and the Bank is paying the wages as per the various settlement and award applicable to the Banking services. So the workman is not entitled to any relief.

Finding with reasoning

7. In this case, WW-1 Bipin Kumar Verma, the workman himself in behalf of the sponsoring Union, MW-1 Harihar Prasad Sahu, the Senior Manager, and MW-2 B.B. Hazra, the Manager, both of UCO Bank, Hrapur Branch, in behalf of the Management have been examined.

On the close study of the statement of WW-1 Bipin Kumar Verma, the workman himself I find his admitted facts are as under :—

- (i) He had been paid his wages on weekly basis against vouchers (Ext.2 four photocopies of the vouchers) while other Peons were paid by monthly bill;
- (ii) He was served with a show cause notice on 16-1-92 for disengagement to which he replied and on receipt of the show cause notice, they initiated a proceeding before the ALC (C), Dhanbad; thereafter there was a reference to the Central Govt. Industrial Tribunal No. 1, Dhanbad (which was transferred to this Tribunal No. 2 as per the Ministry's Order dt. 5-2-1998 as noted above);
- (iii) There was no other daily rated workman save and except himself and

- (iv) There was no advertisement for appointment of any Peon in the Bank prior to his appointment.

8. Expressing his ignorance of the procedure for appointment in the Bank, creation of any Selection Committee for selecting the candidates for appointment in the Bank, any settlement dt. 12-10-89 between the Management and the Union of the employees for regularisation, and any circular dt. 19-10-89 the workman (WW-1) claims (in his deposition dt. 26th May, 1998) to have been serving the UCO Bank since 28th February, 1989 till that date by performing 250 to 260 days (as contrasted with his pleaded facts of 240 days) in a calendar year the duty identical to that of a permanent Peon. He was paid weekly through vouchers. He has proved only the signature of Sri B.B. Hazra of UCO Bank as Ext. W-2 on his purported work certificate dt. 06-07-92 Marked 'X' for identification.

Whereas MW-1 Harihar Prasad Sahu, the Senior Manager posted at Hrapur Branch of UCO Bank from 1988 to Feb., 1992, has admitted to have unauthorisedly engaged the workman Bipin Kumar Verma as a casual worker w.e.f. 28-2-89 to serve water etc. (miscellaneous work) though the Senior Managers have no authority to appoint any casual worker for Cadre posts of Class III or IV. He (MW-1) has proved the Note Sheet (A typed Certificate under sd/- Senior Manager) as Ext. W-1, and submitted it to the Higher Authority. According to him (MW-1), the day-to-day working of Class IV employee not having been reduced to writing, any such memo about their work is sent after watching their work done. I find it clearly relates to the permanent Class IV staff, not the casual worker.

9. MW-2 B. B. Hazra (Binod Bihari Hazra), the Manager of the UCO Bank, Hrapur Branch from January, 1992 to December, 1993, has stated the workman concerned was working as a casual worker in the Branch during the period who used to carry water etc. According to him (MW-2), as per the Circular dt. 19-10-89 issued by the Head Office, Calcutta Marked Ext. M-1, any workman working against regular post was to be regularised. The workman was paid through the four vouchers marked as Ext. M-2 to M-2/3 series. But his demand for regularisation in Class IV post is unjustified in view of the circular. According to this witness, there is no provision for appointment of casual worker in the Bank. The Bank vouchers show the workman was working as Helper, and not on permanent post of Class IV. Affirming his alleged signature on the document marked 'X' not his own the witness has stated that the Attendance of the workman was not marked on the Attendance Sheet of the Bank, rather it is verifiable only from the vouchers. The Branch has no appointment letter. The originals of Ext. M-2 series (photo copies of vouchers) can be produced by the Bank.

10. Mr. D. Mukherjee, Advocate for the Union concerned, submits that none of the two witnesses of the Management has proved either the workman's appointment

irregular for want of sanction of the Competent Authority or the fact of surplus as per the Written Statement, but the workman has been working for the last 22 years since 28-2-1989 till date by putting his more than 240 days attendance in each year, and he was not surplus to the requirement, and as such "The pleading is no substitute for proof, unless oral evidence adduced to prove the same" as held in the case of Manager, R.B.I., Bangalore-Vrs-S. Mani & 2 others, 2005 (105) FLR (SC) at page 1067. Mr. Mukherjee, the Ld. Advocate for the Union tried to convince with the word "Industrial Dispute" as defined in Sec. 2(k) of the I.D. Act, 1947 and meaning 'Term of Employment includes Employee-employer in acting capacity in a grade and question of their confirmation amounts to raising of industrial dispute which Tribunal can decide of (AIR 1984 (SC) 1683 workmen-vrs-Hindustan Lever Ltd. He has also argued that 'the object of security of tenure, essential for an employee, can be attained by regularisation within a reasonable period-Labour Laws being beneficial piece of legislation, benefits must go to the Labour (2006 (2) JLR (SC)80, workmen of Bhurkunda Colliery-Vrs-Mgt. of Bhurkunda Colliery-Paras-6, 7, 9, & 11). But the ruling also ordains effort must be to regularise the work charged employees and casual labour as early as possible, subject to qualifications, and availability of work (para-12).'

11. Lastly, the contention of Mr. Mukherjee, the Senior Counsel for the Union in reference to the authority (2009) 2 SCC (L & S) 513 (DB) (A) Maharashtra SRTC V. Casteribe Rajya Parivahan Karmchari Sangathana related to Maharashtra Recognition of Trade Union and Prevention of Unfair Labour Practice Act, 1971 (1 of 1972) (MRTU) Act—Ss.3d(1)(b), 32 and Sch IV, Item 6, is that Industrial Labour Courts enjoy vide power under S.3d (1)(b) of the Act which includes the power to accord permanency to employee affected by unfair labour practice- This power remaining intact is unaffected by Umadevi (3) case for two reasons-first, this Act was not at all considered by the Constitution Bench, and second the Umadevi case limits scope of powers of the Supreme Court and High Courts under Art 32 and 226 respectively to issue directions for regularisation in matter of public employment (para 30—32, 47 & 48). But such fact of unfair Labour practice in lack of such proof stands unproved. So this ruling appears to be inapplicable to this Case.

12. Whereas Mr. D. K. Verma, the Learned Advocate for the Management, submits that "Appointment were not made as per Adhiniyam, granting relief of re-instatement would not be proper, but corporation was directed to pay compensation as held in the case of Nagar Mahapalika V. state of U.P., 2006 LAB. I.C. 2264 (DB)-(A). This authority also appears not to hold good with the case, as in the case, the workman was indisputably casually engaged on daily wages for one day in the years 1989, 1990, 1992 and six days in the year 1994 (four Xerox Vouchers Extt. M-2/2

M-2/1, 2 & 2/3 respectively). Besides that the photo copies of the notesheet (under sd/- Senior Manager- Ext.W-1), unauthorisely issued by MW-1 Harihar Pd. Sahu the Senior Manager to the workman can never confer on him any right to entitlement of regularisation as a peon. And the plea of his ignorance of the procedure for appointment in the Bank is unacceptable. There is no proof of the workman working for 240 days in any calendar year.

13. On the over all consideration of the proceeding discussed facts and law, I find that the workman has failed to prove his claim thus it is held that the action of the management of UCO Bank in issuing show cause notice for disengagement, and in not absorbing the workman on regular basis is quite justified in eye of facts and law. Therefore, the workman, Bipin Kumar Verma is held not at all entitled to any relief.

KISHORI KAM, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ.182.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधन के संबंध निम्न जकों और उनके कर्मचारों के बीच अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक आधिकरण, श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-1/21 ऑफ 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार बने 21-11-2011 को प्राप्त हुआ था।

[सं. एन-12012/220/2003-आईआर (बो-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 182.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the Award (Ref. No. CGIT-1/21 of 2004) of the Central Government Industrial Tribunal-cum-Labour Court-1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 21-11-2011.

[No. 12012/220/2003-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 MUMBAI

JUSTICE G. S. SARRAF, Presiding Officer

Reference No. CGIT-1/21 of 2004

Parties: Employers in relation to the management of Canara Bank

And

Their Workmen (Bhaskar M. Bendra)

APPEARANCES:

For the Management : Shri. Alva, Adv.
 For the workman : Shri J. P. Sawant, Adv.
 State : Maharashtra

Mumbai, dated the 14th day of October, 2011.

AWARD

This is a reference made by the Central Government in exercise of its powers under clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act 1947. The terms of reference given in the schedule are as follows :

Whether the action of the management of Canara Bank in dismissing the services of Mr. Bhaskar M. Bendre w.e.f. 4-7-2000 is legal and justified? If not, what relief the workman is entitled to?

2. On 17-3-2011 learned counsel for the second party workman informed that the workman had expired. The matter was adjourned for 20-4-2011 for taking appropriate action by learned counsel for the workman. On 20-4-2011 learned counsel for the workman prayed for adjournment. On the next date 20-6-2011 learned counsel for the workman again prayed for adjournment. On the next date 14-7-2011 none appeared for the workman. On the next date 18-8-2011 learned counsel for the workman again prayed for time for taking appropriate steps in the matter. Even today, no application has been filed for taking legal representatives of the deceased workman on record.

3. In view of the above these proceedings have abated.
4. Reference is answered as above.
5. An award is passed accordingly.

JUSTICE G. S. SARRAF, Presiding Officer
 नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 183.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार यूनियन बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, चेन्नई के पंचाट (संदर्भ संख्या 119/2003) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-12012/45/2003-आईआर (बी-11)]
 शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 183.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, the Central Government hereby publishes the Award (Ref. No.119/2003) of the Central Government Industrial Tribunal/Labour Court, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of Union Bank of India and their workman, which was received by the Central Government on 21-11-2011.

[No. L-12012/45/2003-IR(B-II)]
 SHEESH RAM, Section Officer

ANNEXURE

**BEFORE THE CENTRAL GOVERNMENT
 INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
 CHENNAI**

Tuesday, the 15th November, 2011

Present : A. N. JANARDANAN, Presiding Officer

Industrial Dispute No. 119/2003

(In the matter of the dispute for adjudication under clause(d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 14 of 1947, between the Management of the Union Bank of India and their workman)

Between

Smt. T. Parvathy : 1st Part/Petitioner

And

The Senior Manager (P) : 2nd Party /Respondent
 Union Bank of India
 Regional Office
 139, Broadway
 Chennai-600 108

APPEARANCES

For the 1st Party/Petitioner : M/s. K.M. Ramesh, Advocates

For the 2nd Party/Management : M/s. T. S. Gopalan & Co., Advocates

AWARD

The Central Government, Ministry of Labour vide its Order No. L-12012/45/2003-IR(B-II) dated 13-06-2003/18-07-2003 referred the following Industrial Dispute to this Tribunal for adjudication.

The schedule mentioned in that order is :

"Whether the action of the management of Union Bank of India in terminating the services of Smt. T. Parvathy with effect from 29-1-2002 is legal and justified? If not, what relief is she entitled to?"

2. After the receipt of Industrial Dispute this Tribunal has numbered it as ID 119/2003 and issued notice to both sides. Both sides entered appearance through their respective counsel and filed their claim, counter and rejoinder as the case may be.

3. The Claim Statement contentions briefly read as follows:

The Petitioner joined the services of 2nd Party/Management in its Besant Nagar branch on 30-10-1998 as Casual sub-staff on daily wages and II Party/Management instead of regularising her services illegally and unjustifiably terminated her from service on 29-1-2002. Even to the Petitioner's representations and notices there was no response. Though the Petitioner had worked continuously without any break for more than three years the Respondent/Management has not regularised her service and they have terminated her service which is totally arbitrary, illegal and unjustified. The Petitioner has worked for more than 240 days in each calendar year especially preceding one calendar year prior to her illegal termination. The Respondent has violated the mandatory provisions of Section 25F, 25G and 25H of the Industrial Disputes Act and the persons who have joined service as Casual Labourers subsequent to the Petitioner have been regularised in service and they are still in service. The action of the Respondent is also in violation of circular issued by Central Office of the Respondent/Bank. Hence, the Petitioner prays that an award may be passed to reinstate the Petitioner in service with continuity of service, back wages and all other attendant benefits.

4. As against this, the Respondent in its Counter Statement contended that the Respondent/Bank has fixed number of posts on each category for each branch and the appointments are made only after the sanctioned posts. The Respondent/Bank being a public sector undertaking, no one can gain entry into service of the bank by back door or influence or collusion or by taking advantage of any omission or failure on the part of its officers. Further, the Sub-Staff category was filled up by the Respondent/Bank from among the candidates sponsored by the Employment Exchange. It is not uncommon in the Respondent/Bank that on occasions like opening of a new branch, without the knowledge or authority of Regional Office, the concerned Branch Manager have engaged local person to attend the cleaning work and wages paid to them is debited to general expenditure account. Such engagement is neither permitted or authorised and it will not be binding on the bank. On 30-10-1998 when the Respondent/Bank opened a branch at Besant Nagar, it has deployed the part time sweeper attached to Adyar branch to Besant Nagar branch. When the part-time sweeper of Adyar branch was not available, the branch may have engaged the Petitioner for cleaning the premises. On 4-9-99 one Mrs. Sumathi, part-time sweeper attached to Adyar branch was posted to Besant Nagar branch. Though, it is a part of duties of regular part-time sweepers to clean the toilet, there is practice in some of the branches that they decline to attend the work of cleaning the toilet and local person is engaged for cleaning the toilet. On 4-3-2000 One Mr. Selvaraj, Daftry, Madras Main branch was posted as sub-staff to Besant

Nagar branch. The Petitioner was lastly engaged in November, 2001. Her engagement was neither regular nor continuous but it is only an ad-hoc arrangement till regular part-time sweeper was posted. She was only attending to the cleaning of premises. Therefore, irregular engagement of the Petitioner was done by the local Manager on his own volition and the same could not create a right in her favour to claim employment. The Petitioner was not working continuously. She was engaged to attend to cleaning work which was hardly for an hour or two. The Petitioner was not sponsored by Employment Exchange and she could not be considered for regularisation in the services of Respondent/Bank. Merely, by reason of fact that she was engaged for some days by the Besant Nagar branch between 1998 and 2001 she could not be said to have been employed in the services of the Respondent/Bank. Further, her non-engagement could not amount to termination much less retrenchment within the meaning of Section 2(00) of the Act. There are only 30 vouchers evidencing the payment of wages to Petitioner between 19-12-98 and 30-11-2001 which clearly shows the factual position about the days of her engagement. Now the Respondent/Bank is saddled with excess manpower and in the year 2001 it had put up a VRS, pursuant to which number of employees in all categories left their service and those vacancies are not filled up. Therefore, for all these reasons, the Respondent prays that the claim of the Petitioner may be dismissed with costs.

5. Again, the Petitioner in the rejoinder stated that it is not true and correct to say that the II Party/Management was appointing persons only against sanctioned posts. In reality the persons like the Petitioner are engaged for doing sweeping and scavenging work in almost all branches of the Respondent/Bank. It is also now well settled that for menial jobs, the question of sponsoring by Employment Exchange does not arise. It is false to allege that the Petitioner was engaged in Besant Nagar branch only on the days the regular part-time sweeper of Adyar Branch was not available. On the other hand, the Petitioner was engaged continuously without any break whatsoever. It is also not true to say that the Petitioner was not engaged after November, 2001. The Petitioner was terminated only on 29-1-2002 and till such time, she was engaged regularly. The Petitioner was working in the branch right from morning to close of banking hours. The Petitioner has worked between 30-10-98 to 29-1-02 on all working days. Hence, the Petitioner prays an award may be passed in her favour.

6. My learned predecessor by award dated 19-12-2005 directed the Respondent to reinstate the petitioner into service with all benefits including half of the back wages. For passing the award the petitioner had been examined as WW1 and Management Witness, Sri R. Prabhakar has been examined as MW1. On the petitioner's side Ex.W1 (Series) to Ex.W12 and on the Respondent's side Ex.M1 to Ex.M3 were marked.

7. On filing Writ Petition No. 1 0727 of 2006 by the Management challenging the award the Hon'ble High Court of Madras by order dated 26-04-2011 set aside the impugned award and remitted back the matter for fresh finding in the following terms :

"In such circumstances, without going into the other issues raised before this Court, the award of the 1st Respondent Industrial Tribunal-cum-Labour Court made in ID No. 119/2003, is set aside, only in so far as it relates to the findings given by 1st Respondent relating to the non- production of the relevant records by the Petitioner Bank and the consequent adverse inference drawn by the 1st Respondent, with regard to the number of days worked by the 2nd Respondent Employee, and the matter is remitted back to the 1st Respondent to cause an enquiry and to give its findings by giving sufficient opportunity to the petitioner, as well to the 2nd Respondent, on merits and in accordance with the law, within a period of 4 months from the date of receipt of copy of this order".

8. After remand petitioner was further recalled and examined in chief by way of Proof Affidavit and cross-examined in continuation of her testimony before remand, with no further documents proved on her side i.e. Ex.W1 to Ex.W12. On the Respondent's side over and above MW1 examined before remand MW2 Sri S. Ravikumar was examined by way of Proof Affidavit in lieu of Chief Examination and cross-examined and Ex.M4 to EX.M6 (series) marked over and above Ex.M1 to Ex.M3 marked before remand.

9. In these circumstances, the points for my consideration are:

- (i) Whether the action of the Respondent/Bank in terminating the services of the Petitioner with effect from 29-01-2002 is legal and justified?
- (ii) To what relief the Petitioner is entitled?

10. The evidence consists of the testimony of WW1 and Ex.W1 to Ex.W12 on the petitioner's side and the testimony of MW1 and MW2 and Ex.M1 to Ex.M6 (Series) on the Respondent's side.

Points (i) & (ii)

11. Heard both sides. Perused the records, documents and the evidence. The learned counsel for the petitioner mainly argued that petitioner as a casual Sub-Staff was doing sweeping and scavenging work in 1998, 1999, 2000 and 2001 until terminated on 29-02-2002 without complying with the conditions of Section-25F of the ID Act. Though as per order on IA 47/2004 for production of documents the same was allowed, only Ex.W11 and EX.W12 were produced which are statements showing the number of days worked by the petitioner and lumpsum payment of wages paid to her which are based on vouchers

without the same vouchers for the different and entire spells of period having been produced. The Management has had no case that the documents called for were not available and that they cannot be produced. The contention was that they were voluminous and can be made available for inspection. But in the inspection held all of them were not produced as is evident from the minutes of inspection marked as Ex.W10. Consequent to the petitioner's filing of another petition for production of documents Respondent filed a memo dated 25-08-2011 admitting that the petitioner might have worked for 240 days. The order of the High Court remanding the matter for a fresh finding on the ground that the impugned award is misconceived on the basis of an adverse inference wrongly drawn as though no document is produced whereas some documents had actually been produced. Now the fact of petitioner having worked for not less than 240 days is conceded. During the time of petitioner's employment there was no practice of any notification by the Employment Exchange. Muster Rolls contain only names of regular staff and other casuals. Petitioner is proved to remain unemployed following the illegal termination. For the post of Sweeper the requirement of compulsory notification of vacancies through the Employment Exchange or sponsoring through it is not called for. Petitioner's answer to a leading question without any factual foundation in the counter tending to show that she clings only to be posted as Attender is not to be allowed to negate her claim for reinstatement to the post from which she was terminated for which she has expressed her readiness in the box to work in any capacity. Evidently, there is no other Part-Time Sweeper in the branch. There is no case or evidence that the petitioner is a late comer and which is not a practice of her also. Though reinstatement is not to be automatic in a case of violation of Section-25F compensation is also not to be a rule instead of frequent reinstatement invariably in appropriate cases Contra arguments on behalf of the Respondent are that while by her testimony in the box she wants to be posted as Attender. She can go back only to the previous post. She also wants to be made a permanent employee. Reinstatement cannot be a rule and compensation can be given in a proper case.

12. Reliance was placed on a series of decisions placed by both sides. In the unreported decision of the High Court of Madras dated 14-3-2011 in :

— SYNDICATE BANK, REGIONAL OFFICE VS. PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, LABOUR COURT AND THE GENERAL SECRETARY SYNDICATE BANK EMPLOYEES UNION IN WP NO. 3678 OF 2005 wherein it is stated "A mere reading of the above said judgment clears that as per Section-3 of the Act, any employment to do unskilled office work has been exempted from the purview of the said Act. Therefore, the said Amudha, who was

appointed as a part-time sweeper, cannot be even termed to be irregular appointment. Secondly, as per the ratio laid down by the Division Bench of this Court in School Committee's case (supra), an Office Helper need not come through the Employment Exchange, hence, the said Amudha's appointment cannot be considered to be in violation of the 1959 Act'.

— BASKAR. R. AND OTHERS VS. AUTOCARE CENTRE, CHENNAI AND ANOTHER (2003-I-LLJ-700) High Court of Madras held that "The Labour Court has rightly rejected the claim of the petitioners as they were not interested to join as Casual Labour as reinstatement can be done only to the post last held", a decision relied on behalf of the Respondent.

— JAGBIR SINGH VS. HARYANA STATE AGRICULTURE MARKETING BOARD AND ANOTHER (2009-IV-LLJ-336)(SC) it was held that "In case of finding of illegal termination of employee's service grant of relief of reinstatement with back wages, not automatic. Instead compensation may be granted."

13. In view of my above discussion the rulings relied on behalf of the Respondent cannot be said to be squarely applicable to the case whereas those relied on behalf of the petitioner are of apt bearing on the facts. That is to say though the petitioner made a stray version that she wanted a permanent job and as an Attender in the wake of a leading question, not with sound factual foundation in the Counter Statement of the Respondent, she has made it clear that she is prepared to accept employment on reinstatement in any capacity. In the case of menials Employment Exchange (Compulsory Notification of Vacancies) Act, 1949 is not applicable. There is no evidence the petitioner happened to be engaged by any incompetent authority except an ipsedixit of the management. It is in evidence that the petitioner happened to be engaged in Besant Nagar Branch due to more than one reason, viz. there was reluctance from the part of regular Sweepers to clean toilets in some branch which necessitated engagement of Sweeper like petitioner to be engaged alternatively to do the above said specific item of work. Again though there was a regular PTS posted with higher scale of pay the incumbent having had not joined duty the petitioner is understood to have been engaged to compensate the absentee menial to do the work. In such circumstances, the engagement if and when made by the officials of the branch to tide over the difficulties cannot be said to be unauthorized or incompetent, while in such a manner the petitioner as has been admitted continued to work and completed not less than 240 days of continuous duty within 12 calendar months, visiting her with cessation of employment violating the conditions of Section-25F of the ID Act is totally unjust and illegal. Her appointment cannot be termed as a backdoor entry in the absence of proof to show that it was a backdoor

entry made at the whims & fancy of an incompetent authority or with some monetary benefit gained by him. Every engagement as in the instant case cannot be termed as a backdoor entry. There are such instances as in this case warranting such engagement in certain circumstances as held in the decision of the Supreme Court in Uma Devi's case. The eligibility to regularization of such menials as in this case cannot be deprived because it amounts to unfair labour practice. Decision in Uma Devi's case has no application where there is unfair labour practice meted out on a workman as envisaged under Section-30 of the ID Act, 1947

14. Respondent having admitted in writing and filed a memo to the effect that petitioner might have worked not less than 240 days the said question is not to be looked into any further. It is pertinent to note that in the matter of appreciation of facts sought to be proved allowances have to be given by Courts to marginal discrepancies in the versions of the witnesses. Petitioner's version is to be so understood. Now the question is whether her termination from service is legal and justified. There is no whisper regarding the manner in which petitioner's cessation of service was brought about. Evidently it is clear that she has not been issued notice, not given notice pay or compensation as provided under Section-25F of the ID Act. Therefore, there is violation of Section-25F of the ID Act rendering the action illegal and unjust. The petitioner is therefore entitled to be reinstated into service forthwith with continuity of service and all attendant benefits including 75% back wages. Thereafter whether she is to be regularized or not is to be examined and appropriately decided by the Management in accordance with the norms and rules governing regularization and in vogue and as per the relevant recruitment procedures under the Management. The petitioner is therefore entitled to the above relief.

15. The reference is answered accordingly. (Dictated to the PA transcribed and typed by him, corrected and pronounced by me in the open court on this day the 15th November, 2011).

A. N. JANARDANAN, Presiding Officer

Witnesses Examined: WW1, Smt. T. Parvathy
For the 1st Party/Petitioner MW1, Sri R. Prabhakar
For the 2nd Party/Management MW2, Sri S. Ravikumar

Documents Marked:
On the petitioner's side

EX.No.	Date	Description
EX.W1	—	Xerox copies of payment vouchers for payment of Wages (Series) to 1st Party/Petitioner (15 voucher)
EX.W2	16-2-2002	Copy of letter from 1st Party/Petitioner to 2nd Party/Respondent
EX.W3	16-4-2002	Copy of legal notice issued by the 1st Party/Petitioner to 2nd Party/Respondent
EX.W4	19-4-2002	Copy of legal notice issued by the 1st Party/Petitioner to 2nd Party/Respondent
EX.W5	24-6-2002	Copy of petition filed by the 1st party/Petitioner raising Industrial Dispute

EX. W6	28-10-2002	Copy of reply filed by the 1st Party/ Petitioner before the Assistant Commissioner of Labour (Central)
EX. W7	21-10-2002	Xerox copy of the letter from 2nd Party/Management to Assistant Commissioner of Labour (Central)
EX. W8	22-2-2004	Xerox copy of the letter from Respondent advocate to Respondent/ Management
EX. W9	13-9-2004	Xerox copy of the minutes of inspection carried out by 1st party's advocate at Besant Nagar Branch
EX. W10	23-4-2005	Xerox copy of the minutes of inspection carried out by 1st Party's advocate AT Besant Nagar Branch
EX. W11	Nil	Statement showing number of days worked by petitioner in Respondent/ Bank
EX. W12	Nil	Statement showing lumpsum payment of wages paid to petitioner Besant Nagar Branch

On the Management's side

EX. No.	Date	Description
EX. M1	--	Besant Nagar Branch Cash Payment details from 6-11-1998 to 13-11-2001
EX. M2	4-9-1999	Memorandum of J. Sumathi (Xerox copy of the order of transfer issued to Smt. Sumathi)
EX. M3	4-3-2000	Memorandum of M. Selvaraj (Xerox copy of the order of transfer issued to Sri Selvaraj)
EX. M4	—	List of Part-Time Sweepers/Keepers recruited between 2005 and 2007 and in response to paper advertisement in 6/2008 in Daily Thanthi between 2008 and 2010
EX. M5	11-6-2008	Paper advertisement in Daily Thanthi for Part-Time Sweepers
Ex. M6	6-5-1999	Muster Roll enclosing attendance sheets To of Besant Nagar Branch

30-9-2001

नई दिल्ली, 22 दिसम्बर, 2011

का.आ.184.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार युनियन बैंक ऑफ इंडिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, कानपुर के पंचाट (संदर्भ संख्या 74/2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 2-11-2011 को प्राप्त हुआ था।

[सं. एल-12011/84/2006-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 184.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 74/2006) of the Central Government Industrial Tribunal/Labour Court, Kanpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the

management of Union Bank of India and their workman, which was received by the Central Government on 21-11-2011.

[No. L-12011/84/2006-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

**BEFORE SRI RAM PARKASH, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT**

Industrial Dispute No. 74/06

Between

The General Secretary,

Union Bank Employees Union,

628-M-33, Murari Nagar,

Faizabad Road,

Lucknow

And

The Deputy General Manager,

Union Bank of India,

NRO, Sharda Tower,

Kapoorthala Complex,

Aliganj, Lucknow.

AWARD

1. Central Government, MoI, New Delhi, vide notification no. L-12011/84/2006-IR (B-II) dated 14-11-06, has referred the following dispute for adjudication to this tribunal.
2. Whether the action of the management of Union Bank of India, Banaras in withholding the special allowance and Censure imposed on Sri O. P. Shrama. Head Clerk 'E' vide punishment order dated No. ROV/DP/1893 dated 28-4-03 is legal and justified? If not to what relief the concerned workman is entitled?
3. Brief facts are workman was [posted as permanent head cashier at Aurangabad Branch Varanasi during year 2001, when a fraud of Rs. 80,000 took place in saving bank account no. 6585 through a loose cheque no...on 24-9-01. The cheque was scroll posted, passed by two officers and then paid by the workman to the bearer of taken. Later on it was found that this was a fraud. The management charge sheeted the workman vide charge sheet no. so and so dated 8-5-02. The departmental inquiry was conducted and final punishment order dated 28-4-03 as under was passed.
4. Punishment of permanent withdrawal of special allowances of head cashier for the major misconduct and censure for the minor misconduct be and is hereby imposed upon Sri Om Prakash Sharma.

5. It is alleged that the finding of enquiry officer being unfair, totally perverse, the punishment imposed was illegal and unjustified. The workman had submitted an appeal also; the appellate authority without applying his mind also rejected appeal. Thereafter he raised dispute consequent upon the present reference has been made by the appropriate government.
6. It is also alleged that the inquiry officer was not partial. Therefore, he has prayed that the order be declared as illegal and the punishment awarded be set aside.
7. Opposite party has filed the written statement. It is admitted that the claimant was posted as a cashier but it is alleged that during his tenure as a cashier a fraud of Rs. 80000 was deducted for which a show cause notice was issued to the claimant. Thereafter after seeking explanation, charge sheet was served to the claimant alleging gross misconduct and minor misconduct. A thorough inquiry was conducted and during inquiry it was found by the enquiry officer that the prescribed procedure was not followed by the cashier and the workman acted in a manner prejudicial to the interest of the bank while performing his duties due to which the bank suffered a heavy monetary loss. He was not at all vigilant. Enquiry Officer has found that Sri Sharma was responsible and guilty of contributory and gross negligence. He was afforded full opportunity of his defence therefore, no violation of principle of natural justice. The punishment imposed is also in proportion to the proved misconduct against the workman to meet the end of justice. The action of the management is fully legal and justified in imposing the punishment. Appeal was also dismissed by the appellate authority by a reasoned order.
8. In the rejoinder the claimant has denied the averments of the reply of the opposite party and has prayed that the same be rejected the claim petition be allowed.
9. Perused the record thoroughly.
10. After giving several opportunities to the claimant to adduce evidence, in support of his pleadings, he failed to adduce any evidence. Opposite party has also not adduced any evidence.
11. Initially the burden lies on the claimant to prove his case. Pleadings cannot take the shape of proof unless admitted.
12. It has been held by the Hon'ble High Court in a number of cases that where workman is neither appearing nor producing evidence before labour court-Labour Court had no jurisdiction to hold order illegal.
13. Therefore, in this the workman has miserably failed to prove the malafide of the opposite party in awarding punishment by leading cogent and reliable evidence. Therefore, it is concluded that the claimant has failed to prove his case.
14. In view of above discussion, it is held that the claimant is not entitled to claim any relief. Reference is therefore,

bound to be answered against the claimant and in favour of the opposite party.

RAM PARKASH, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ.185.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार महाराष्ट्र बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-2, मुम्बई के पंचाट पार्ट-II, (संदर्भ संख्या सीजीआईटी-2/83 ऑफ 2006) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-12012/85/2000-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 185.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award Part-II (Ref. No. CGIT-2/83 of 2006) of the Central Government Industrial Tribunal/Labour Court-2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bank of Maharashtra and their workmen, which was received by the Central Government on 21-11-2011.

[No. L-12012/85/2000-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, MUMBAI

PRESENT

K.B. KATAKE : Presiding Officer

REFERENCE NO. CGIT-2/83 of 2000

EMPLOYERS IN RELATION TO THE MANAGEMENT OF BANK OF MAHARASHTRA

The General Manager (Personnel)
Bank of Maharashtra, Central Office
1501, Lokmangal,
Shivaji Nagar,
Pune-411 005 (MS)

AND

THEIR WORKMEN

Shri M. S. Awasthi
Main Road, Navapad
At Post Tal. Jawhar
Distt. Thane-401 603.

APPEARANCES:

For the Employer : Mr. V. M. Parkar, Advocate
 For the Workmen : In person

Mumbai, dated the 24th October, 2011

AWARD PART-II

The Government of India, Ministry of Labour and Employment by its Order No. L-12012/85/2000-IR (B-II), dated 22-8-2000 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following industrial dispute to this Tribunal for adjudication:

“Whether the action of the management of Bank of Maharashtra by dismissing Shri M.S. Awasthi from the services of Bank is justified and proper? If not, then, what relief the workman is entitled to?”

2. In Part-I Award dated 18-11-2008 passed by this tribunal it was held that, the inquiry against the second party workman conducted by the Enquiry Officer was fair and proper. The charges levelled against the second party workman were, while he was officiating Branch Manager of Vikramgad Branch without authority he had appointed part-time clerks. He had sanctioned housing loan of Rs. 25,000 to Shri Mangesh Raoji Bhurkud, sub-staff and had sanctioned consumer loan of Rs.15,000 to Shri S. G. Pendem for purchase of colour TV. and also sanctioned loans to some others. As all these were without authority he was charge sheeted for the same. The Enquiry Officer conducted the inquiry and held the second party workman guilty of misconduct for appointing a part-time clerk and sanctioning loans without authority. The Enquiry Officer had submitted his report with recommendation of termination of the services of the second party workman. The management after hearing the workman terminated his services. The second party workman raised industrial dispute. In the first part Award, my Ld. Predecessor held that the inquiry was fair and proper. He also held that the findings of Enquiry Officer are not perverse. In this second part award I am dealing with the remaining issues framed by my Ld. Predecessor. They are, as follows:

Issues	Findings
(3) Whether action of management of Bank of Maharashtra dismissing Mr. S.B. Awasthi from the services of Bank is iustified and proper?	No.
(4) What relief the workman is entitled to	As per final order.

REASONS**Issue No. 3**

3. In this respect I would like to point out that there are as many as nine charges against the second party

workman. They are for appointment of part-time clerk and about sanctioning of loans without authority, not following the procedure prescribed for sanction of some of the loans. In this respect fact is not disputed that there are no charges like that of misappropriation, bribery or any underhand dealing etc. Though these charges are proved and the second party workman is held guilty for the misconduct under clause 19.5(j) of Bipartite Settlement, the charges are not serious enough to dismiss the second party workman. Furthermore, I would like to point out that the loan amount sanctioned by him are maximum up to Rs. 50,000. As per the second charge he has sanctioned loan of Rs. 25,000. As per the third charge he had sanctioned loan of Rs. 15,000. As per fourth charge he had sanctioned loan of Rs. 3,000 against FDR of Rs. 50,000. As per fifth charge he had sanctioned loan of Rs. 40,000 to purchase a motorcycle and the amount was more than the price of the motorcycle. As per charge No. six, he had sanctioned agricultural loan of Rs. 50,000 without mortgage of land. As per charge no. 7, he had sanctioned an amount of Rs. 20,000. As per charge no. 8 and 9 he had not followed the procedure laid down for sanction of the above loans.

4. In this respect, judicial notice of the fact can be taken of that in some cases due to certain difficulties, the documents such as mortgage, lease or deed of hypothecation etc. are prepared subsequently. Though it is irregularity, it is not a serious misconduct as such. Furthermore, though he has not followed procedure there are no charges of any corrupt practice, misappropriation or undue favour in sanctioning the loans. He may be under wrong impression of having power to sanction loan as an officiating Branch Manager. In the circumstances, though these transactions of sanctioning loans amount to misconduct, they cannot be said to be serious enough to dismiss the employee from the service.

5. Furthermore, as per charge no.1 he has appointed two part-time clerks unauthorisedly vide his order dated 27-4-1993 and 28-6-1993 respectively. In this respect I would like to point out that the period of the part time employees worked is not mentioned in the charge sheet. In this respect I would also like to point out that though the act of appointing part-time clerks amount to misconduct for want of authority, such part-time clerks or peons are engaged by the Branch Managers for temporary period to clear up the pending work. There are also no allegations or charges of any malpractice or acceptance of bribe etc. in appointing the two part-time clerks. The misconduct is that he had appointed them with out authority. In the circumstances, this misconduct also cannot be called serious enough to dismiss him from the services. There are no allegations of any underhand dealing, corruption or misappropriation. In the circumstances, though the party no. 2 is found guilty of misconduct under clause 19.5(j) of the Bipartite Settlement, I hold that the punishment awarded by the management is disproportionate to the

misconduct proved against him. Instead of dismissing him from service to meet the end of justice, I think it proper to award him punishment of compulsory retirement with all pensionary benefits. Thus, I hold that the punishment awarded by the management is not justified and proper. Instead of dismissal from service he should be retired compulsorily with pensionary benefits. Accordingly, I decide this point no. 3 in the negative and hold that the workman should be retired compulsorily with all pensionary benefits. Accordingly, I decide this issue no. 4 that the workman is entitled to the relief of substitution of punishment of dismissal by compulsory retirement with pensionary benefits. Thus, I pass the following order :

ORDER

The punishment of dismissal from service is set aside. Instead of dismissal, the second party workman be retired compulsorily with all pensionary benefits.

Date : 24th October, 2011

K. B. KATAKE, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 186.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार जवाहरलाल नेहरू पोर्ट ट्रस्ट के प्रबंधन के संबंध में नियोजकों और उनके कर्मचारियों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, मुम्बई के पंचाट (संदर्भ संख्या सीजीआईटी-1/6 ऑफ 2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-31011/5/2003-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 186.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT-1/6 of 2004) of the Central Government Industrial Tribunal/Labour Court-1, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Jawaharlal Nehru Port Trust and their workman, which was received by the Central Government on 21-11-2011.

[No. L-31011/5/2003-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO.1

MUMBAI

JUSTICE G. S. SARRAF : Presiding Officer

REFERENCE NO. CGIT-1/6 OF 2004

Parties : Employers in relation to the management of
Jawaharlal Nehru Port Trust

And

Their Workmen

Appearances:

For the Management	: Shri Lanchy D'Souza, Management— Re-presentative
For the Union	: Shri Jai Prakash Sawant, Adv.
For Speedy Transport Pvt. Ltd.	: Mr. Kapadia
For Central Warehousing Corporation	: Absent
For Ornate Multi-Model Carriers Pvt. Ltd.	: Absent
State	: Maharashtra

Mumbai, dated the 5th day of October, 2011.

AWARD

1. In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 the Central Government has referred the following dispute for adjudication to this Tribunal.

Whether any employer-employee relationship exists between the workmen employed for Container Freight Station operations in the Container Freight Station of Jawaharlal Nehru Port Trust through the intermediaries including the Central Warehousing Corporation (CWC) and M/s Ornate Multi-Model Carriers Pvt. Ltd., Mumbai? Whether the demand for absorption of workmen employed for Container Freight Station operations in direct services of JNPT is justified? If not, what relief are the workmen concerned entitled to?

2. Learned counsel for the Second party union has filed an application with the prayer that this Tribunal may dispose of the present reference for want of prosecution and the second party be given liberty to take appropriate steps at an appropriate time for redressal of its grievance.

3. Learned counsel for the first party has no objection if the reference is decided in terms of the application filed by the second party union.

4. In view of the above application of the second party union it is clear that the second party union is not entitled to any relief in these proceedings.

5. The matter stands disposed of as above and the second party union is given liberty to take appropriate steps at an appropriate time for redressal of its grievance.

An Award is made accordingly.

JUSTICE G. S. SARRAF, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ. 187.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय, नागपुर के पंचाट (संदर्भ संख्या सीजीआईटी/एनजीपी/103/2004) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-17012/42/1995-आईआर (बी-II)]

श्रीराम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 187.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. CGIT/NGP/103/2004) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of LIC of India and their workman, which was received by the Central Government on 21-11-2011.

[No. L-17012/42/1995-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE SHRI J.P. CHAND, PRESIDING OFFICER
CGIT-CUM-LABOUR COURT, NAGPUR

Case No. CGIT/NGP/103/2004 Date: 27-9-2011

Party No. 1 : The Senior Divisional Manager, Life Insurance Corporation of India, National Insurance Building, Sardar V.P. Marg, P.O. Box No. 63, Nagpur-440001.

Versus

Party No. 2 : Shri Prakash Parate, R/o. Maskasath Bangre Mohalla, Nagpur-440002

AWARD

(Dated: 27th September, 2011)

In exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2 (A) of Section 10 of Industrial Disputes Act, 1947 (14 of 1947) ("the Act" in short), the Central Government had referred the industrial dispute between the employers, in relation to the management of Life Insurance Corporation of India and their workman Shri Prakash Parate for adjudication, to Central Government Industrial Tribunal-cum - Labour Court at Jabalpur as per letter No. L-17012/42/95-IR(B-II) dated 04-03-97, with the following schedule:-

"Whether the action of the management of Life Insurance Corporation of India in terminating the services of Shri Prakash Parate, a temporary peon

w.c.f. 9-4-91 is legal and justified? If not, to what relief the said workman is entitled?"

Subsequently, the reference was transferred to this Tribunal for disposal in accordance with law.

2. On receipt of the reference, parties were noticed to file their respective statement of claim and written statement, in response to which, the workman, Shri Prakash Parate ("the workman" in short) filed the statement of claim and the management of Life Insurance Corporation of India ("party no. 1" in short) filed the written statement.

The Case of the workman as projected in the statement of claim is that he was appointed by the party No. 1 on 19-1-1991 as a peon and his first appointment was for 29 days i.e. from 19-1-1991 to 16-2-1991 and subsequently, the same was extended from 17-2-1991 to 18-03-1991 and then from 19-3-1991 to 8-4-1991 and he worked continuously for 89 days, from 19-1-1991 to 8-4-1991 with the party No. 1 without break and party No. 1 orally terminated his services w.c.f. 09-04-1991 and he was getting salary as a regular employee and as per the provisions of Section 25-H of the Act and the standing orders, he is entitled to re-appointment as and when vacancies would arise and he submitted a representation to the Assistant Labour Commissioner (Central), Nagpur on 27-3-1995 and as the conciliation failed, failure report was submitted by the ALC to the Central Government and the Central Government in its turn, referred the dispute to the Tribunal for adjudication. The further case of the workman is that he was performing regular nature of work and the post against which, he was appointed was a clear vacant post and he was appointed on temporary basis by the party No. 1, only with the intention of depriving him the benefits and status of permanency and as per clause D of the model standing orders of the LIC, it was obligatory on the part of the management of LIC to prepare a list of the terminated employee and such terminated employees should be given preference in the matter of appointment, as and when the vacancies are available and as he is a terminated employee, he is entitled to be re-appointed and termination of his services without disclosing any reason and without giving any intimation is a revengeful action against him and colourable exercise of employer's right and against the principles of the natural justice and as such, his termination was not for any bonafide reason and the same is unfair and illegal.

The workman has prayed for his reinstatement in service with continuity and full back wages.

3. The party No. 1 in its written statement has pleaded inter-alia that in view of the application of the workman, he was offered a temporary appointment for the post of peon, vide appointment letter dated 18-1-1991 and the appointment was for a period of 29 days and the appointment was not an appointment in any permanent vacancy and due to exigencies, the services of the workman were extended from 17-2-1991 to 18-3-1991 and then

from 19-3-1991 to 8-4-1991, vide letters dated 16-2-1991 and 15-3-1991 respectively and the workman worked for 80 days in total and as the appointment vide letter 15-03-1991 was for a specific period, i.e. from 19-3-1991 to 8-4-1991 only, the services of the workman automatically stood terminated w.e.f. 8-4-1991 evening and the appointment of the workman was on temporary basis against temporary vacancy. It is further pleaded by the party No.1 that the service conditions of the employees in the Life Insurance Corporation of India ("LIC" in short) are not governed by any standing orders, but are governed by "Regulations", called Life Insurance Corporation of India (Staff) Regulation, 1960 ("the Regulations" in short) and the Regulations have been framed by virtue of power conferred on the LIC to make regulation initially under Section 49 of the Life Insurance Corporation Act, 1956 ("the Insurance Act" in short) and thereafter by virtue of Section 48(cc) of the Life Insurance Corporation (Amendment) Act, 1981 ("Amendment Act" in short) and by virtue of clause (cc) of Section 48, the service conditions are now subject to the Rules, which are deemed to have come into effect from 20-6-79 and sub-section 2A of Section 48 provides that the Regulations and other provisions, as in force immediately before the commencement of the Amended Act with respect of terms and conditions of service of employees shall be deemed to be Rules made under clause (cc) of sub-section 2 of Section 48 and the Rules are framed with prior approval of the Central Government and therefore, these Rules are statutory Rules and the Hon'ble Apex Court in the decisions reported in AIR 1994 SC-1343 (M. Venugopal Vs. LIC) and AIR 1982 SC 1126 (A.V. Nachane Vs. Union of India) have recognized these Rules as statutory Rules and these Rules have overriding effect over the Act and consequently the provisions of the Act, which are contrary to the statutory Rules governing the terms and conditions of service of employees of LIC have no effect and the model standing orders, which has been quoted by the workman has no application to the employees of LIC in regard to the terms and conditions of their services and as the appointment of the workman came to an end automatically in the evening of 8-4-1991, in absence of any extension, the question of disclosure of any reason for termination of services etc. does not arise and as such, the workman is not entitled for any relief.

4. It is necessary to mention here that after filing of the written statement, as the party No. 1 remained absent, the case proceeded ex-parte against it and by order dated 24-11-1999, ex-parte award was passed in favour of the workman.

5. The party no. 1, on 23-2-2000 filed an application for setting aside the ex-parte award dated 24-11-1999. It is also appropos to mention here that the party no. 1 also filed writ petition no. 904 of 2000 before the Hon'ble High Court of Judicature at Bombay, Nagpur Bench challenging the ex-parte award dated 24-11-1999 and the Hon'ble court

by order dated 28-3-2000 was pleased to set aside the award dated 24-11-1999 and remanded the case back for considering the aspect of jurisdiction and to pass necessary orders on the reference. The Hon'ble Court also directed the parties to maintain status quo until the reference is decided by the Central Government Industrial Tribunal. In view of the orders passed by the Hon'ble High Court as mentioned above, no order was passed on the petition filed by party No. 1 to set aside the ex-parte award.

6. The parties have led oral evidence in support of their respective claims, besides placing reliance on documentary evidence. The workman has examined himself as a witness, whereas, one Miss Sikha, Manager, P & IR Department has been examined as a witness on behalf of the party No. 1.

The workman, in his examination-in-chief, which is on affidavit has reiterated the facts mentioned in the statement of claim. In his cross-examination, the workman has admitted that he was called for the temporary post of peon and no written test was taken and there was no advertisement calling applications and as, he was ready to work temporarily, order was given by the management on 19-1-1991 as per Exhibit M-5 and the order was for the temporary post of peon and was for a limited period of 29 days and his consent was taken while joining the work, in token of acceptance of the service conditions and the terms and conditions were incorporated in the appointment order itself and his services were extended as per orders, Exhibit M-6 and M-7 on the same term and conditions.

7. The witness examined on behalf of the party No. 1 has also reiterated the facts mentioned in the written statement, in her evidence, which is also on affidavit. In her cross-examination, she has stated that the workman had the requisite qualification for appointment as a peon and as such, he was appointed as a peon temporarily and as there was vacancy of the post of peon, the working period of the workman was extended from time to time and as there was vacancy of the post of peon, advertisement was given for recruitment of peon.

8. During the course of argument, it was submitted by the learned advocate for the workman that though the workman was appointed as a temporary worker, he worked in a permanent nature of job of a peon and was paid wages at par with the scale of pay and other allowances as applicable to the permanent workers and under the Life Insurance Corporation of India (Staff) Regulations, 1960, there is no provision to terminate the services of an employee verbally, except after following the procedures as mentioned therein and as the procedure for termination of the services was not followed, the termination is illegal and the workman is entitled for reinstatement in service with continuity and full back wages.

9. Per contra, it was submitted by the learned advocate for the party No.1 that the workman was employed purely on temporary basis in temporary vacancy for a specific period and on expiry of the said period, his services automatically came to an end and the Regulations have overriding effect over the Industrial Disputes Act, 1947 and as such, no industrial dispute can be raised and the workman is not entitled for any relief.

In support of such contentions, reliance was placed by the learned advocate for party No. 1, on the decision of the Hon'ble Bombay High Court in writ petition No. 1655 / 2002 (LIC Vs. Ravindra V. Ladhe & others).

10. It is clear from the evidence on record, both oral and documentary that the appointment of the workman was purely on temporary basis for a specific period and in the appointment order itself, it had been mentioned that the workman on the basis of his temporary appointment would not be entitled to either absorption in the service of the Corporation or any preference for recruitment to any post and the appointment would terminate automatically on the expiry of the period of appointment. It is also clear from the evidence on record that the workman accepted the conditions as given in the appointment letter and joined in service.

11. The decision of the Hon'ble High Court of Bombay in WP No. 1655 of 2002 is a direct decision in regard to the point of controversy. The Hon'ble High Court of Bombay in its decision have stated as follows :

"Now in so far as the present case is concerned, it would be necessary advert first and for most to the Life Insurance Staff Regulations of 1960. These Regulations were initially framed by the corporation with the previous approval of the Central Government in exercise of powers conferred by Section 49 (2) of the Life Insurance Corporation Act, 1956. Regulation 8 in relation to temporary staff provides thus :

Temporary Staff

—8(1) Notwithstanding anything contained in these Regulations, a Divisional Manager may employ staff in Classes III and IV on a temporary basis subject to such general or special directions as may be issued by the Chairman from time to time.

—(2) No person appointed under sub-regulation (1) shall only by reason of such appointment be entitled to absorption in the service of the Corporation or claim preference for recruitment to any post.

Regulation 4 provides that the Chairman may, from time to time, issue such instructions or directions as may be necessary to give effect to, and carry out, the provisions of the regulations and in order to secure effective control over the staff employed in the Corporation. In so far as the members of the temporary staff are concerned, sub-regulation (2) of Regulation 8 specifically provided that no

person appointed under sub-regulation (1) shall be entitled to claim absorption or preference for recruitment only by reason of such appointment.

Parliament amended the provisions of the Life Insurance Corporation Act, 1956 by Amending Act 1 of 1981. As a result of the amendment, clause (cc) was inserted in sub-section (2) of Section 48 which confers power upon the Central Government to make rules to carry out the provisions of the Act. By and as a result of clause (cc) as inserted, the Central Government is empowered to provide for the terms and conditions of service of the employees of the corporation. The rule-making power in Section 48 (2) (cc) extends to the following:

"(cc) the terms and conditions of service of the employees and agents of the Corporation, including those who became employees and agents of the Corporation on the appointed day under this Act".

Sub-section (2A) was also introduced in Section 48 by the Amending Act and it provides as follows:

(2A) The regulations and other provisions as in force immediately before the commencement of the life Insurance Corporation (Amendment) Act, 1981, with respect to the terms and conditions of service of employees and agents of the Corporation including those who became employees and agents of the Corporation on the appointed day under this Act, shall be deemed to be rules made under clause (cc) of Sub-section (2) and shall, subject to the other provisions of this section, have effect accordingly" (emphasis supplied) As a result of sub-section (2A), the Staff Regulations that were framed in 1960 are deemed to be Rules made under clause (cc) of sub-section (2) of Section 48.

Sub-section (2B) of Section 48, as amended, provides that the rule making power that is conferred by clause (cc) of sub-section (2) shall include the power to give retrospective effect to the rules; to amend the regulations and the provisions referred to in sub-section (2A) with retrospective effect from a date not prior to 20th June 1999. Sub-section (2C) of Section 48 has a significant bearing in the present case and provides thus:

"(2C) The provisions of clause (cc) of sub-section (2) and sub-section (2B) and any rules made under the said clause (cc) shall have effect, and any such rule made with retrospective effect from any date shall also be deemed to have had effect from that date, notwithstanding any judgment, decree or order of any court, tribunal or other authority and notwithstanding anything contained in the Industrial Disputes Act, 1947 (14 of 1947), or any other law or any agreement, settlement, award or any instrument for the time being in force" (emphasis supplied).

The effect of Sub-section (2C) is to impart overriding effect to the provisions of clause (cc) of sub-section (2) as well as to any rules which have been made under clause (cc) notwithstanding any judgment, decree or any order of

any Court or Tribunal or other authority and notwithstanding anything contained in the Industrial Disputes Act, 1947 or any other law or any other agreement, settlement or other instrument for the time being in force.

Regulations 8 of the Staff Regulation of 1960 which empowers the authority nominated therein to recruit class III and IV personnel on a temporary basis is, therefore, a rule within the meaning of Section 48(2)(cc). That is specifically provided for in sub-section 2A. A person appointed on a temporary basis under sub-regulation (1) of Regulation 8 is not entitled to absorption in the services of the Corporation or to claim preference for recruitment to any post. In exercise of the power conferred by Regulation 4, statutory instructions were issued by the Chairman of the Corporation on 28th June, 1993 defining the method and manner of recruitment of temporary staff. These rules have overriding effect over the provisions of the Industrial Disputes Act, 1947. Sub-section 2C of Section 48 specifically provides so.

The amended provisions of the Life Insurance Corporation Act, 1956 came up for consideration before a Bench of three Learned Judges of the Supreme Court in *M. Venugopal Vs. Divisional Manager, Life Insurance Corporation of India, Machilipatnam* (1994) 2 SCC 323. The Supreme Court held that as a result of the statutory fiction that is created by the provisions of sub-section (2A), regulations relating to the terms and conditions of service of employees and agents of the Corporation framed under Section 48 (2) (bb) shall be deemed now to be Rules under Section 48 (2)(cc) and all "such rules shall have overriding effect over the provisions contained in the Industrial Disputes Act, 1947 so far as the terms and conditions of employment of such employees who also conform to the requirement of the definition of "workman" under the Industrial Disputes Act, 1947 are concerned". Construing these provisions, the Supreme Court held that the termination of the services of a person appointed as probationer under Regulation 14 shall be deemed to be in pursuance of the rules framed under Section 48 (2) (cc) and would have overriding effect over Section 2 (oo) and Section 25F of the Industrial Disputes Act, 1947. The Court held thus :

The amendments introduced in Section 48 of the Corporation Act have clearly excluded the provisions of the Industrial Disputes Act so far as they are in conflict with the rules framed under Section 48 (2) (cc). The result whereof will be that termination of the service of the appellant shall not be deemed to be "retrenchment" within the meaning of Section 2(oo) even if sub-section (bb) had not been introduced in the said section. Once Section 2 (oo) is not attracted, there is no question of application of Section 25-F on the basis of which the termination of the service of the appellant can be held to be invalid. The termination of the service of the appellant during the period of probation is in terms of the order of appointment read

with Regulation 14 of the Regulations, which shall be deemed to be now Rules under Section 48(2)(cc) of the Corporation Act".

The Supreme Court noted that the constitutional validity of the Amending Act of 1981 was upheld in *A.V. Nachane Vs. Union of India* (1982) 1 SCC 205. The Court held that the wisdom of the legislature in either extending the protection of the provisions of the Industrial Disputes Act, 1947, or denying the same cannot be assessed by the Court unless it is held to be violative of any of the provisions of the Constitution.

"Earlier such employees used to be governed by the regulations framed by the Corporation under Section 49 of the Corporation Act as well as by the provisions of the Industrial Disputes Act, being "workman" within the meaning of that Act. It was up to them to enforce the rights or remedies in terms of the regulation so framed under the Corporation Act or in accordance with the provisions of the Industrial Disputes Act. But after the amendment introduced by the Parliament in Section 48, the employees of the Corporation shall not be entitled to protections to which they were entitled before the coming into force of the amendment aforesaid. The amendments cannot be held to be violative of Article 14 of the Constitution merely on the grounds that a section of the employees of the Corporation had the benefit or protection of the provisions of the Industrial Disputes Act, which now they have been deprived of. The wisdom of the legislature in extending the protection of the provisions of the Industrial Disputes Act or denying the same cannot be judged by the courts unless any such step held to be violative of any of the provisions of the Constitution.

The decision of the Supreme Court concludes the present case. The Tribunal was in error in coming to the conclusion that the order of retrenchment must fail for failure to comply with the provisions of Section 25-F of the Industrial Disputes Act, 1947. The workmen were temporary workmen. Under the terms of their engagement, their services could be dispensed with and the power to dispense with a member of the temporary staff is implicit in Regulation 8 of the Staff Regulations of 1960. Upon the enforcement of the Amending Act of 1981, the regulation acquired the character of a rule framed under Section 48(2)(cc). The rule overrides the provisions of the Industrial Disputes Act, 1947 by virtue of the provisions of Section 48 (2C).

12. Applying the principles enunciated by the Hon'ble Court as mentioned above to the present case at hand, it is found that the provisions of the model Standing Orders or the Industrial Disputes Act, 1947, regarding appointment of employees and the terms and conditions of their services, to the Life Insurance Corporation of India and Regulation 8 of Life Insurance Staff Regulations, 1960 is applicable to LIC and upon the enforcement of the Amending Act of 1981, the

regulation acquired the character of a rule framed under Section 48(2)(cc) and the said rule overrides the provisions of the Act and other laws for the time being in force, by virtue of the provisions of Section 48(2)(cc) of the Life Insurance Corporation Act. As the Life Insurance Corporation of India (Staff) Regulations 1960 has overriding effect on the Industrial Disputes Act, 1947, the reference is not maintainable and as such, this Tribunal has no jurisdiction to decide the dispute. Hence, the workman is not entitled for re-employment in preference over others, as per the provisions of Section 25-H of the Act and he is not entitled for any relief. Hence, it is ordered :

ORDER

The action of the management of Life Insurance Corporation of India in terminating the services of Shri Prakash Parate, a temporary peon w.e.f. 9-4-91 is legal and justified. The workman is not entitled for any relief.

J. P. CHAND, Presiding Officer

नई दिल्ली, 22 दिसम्बर, 2011

का.आ.188.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार केनरा बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण/श्रम न्यायालय-1, नई दिल्ली के पंचाट (संदर्भ संख्या 225/2011) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-11-2011 को प्राप्त हुआ था।

[सं. एल-12012/407/1995-आईआर (बी-II)]

शीश राम, अनुभाग अधिकारी

New Delhi, the 22nd December, 2011

S.O. 188.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 225/2011) of the Central Government Industrial Tribunal/Labour Court-I, New Delhi now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Canara Bank and their workman, which was received by the Central Government on 21-11-2011.

[No. L-12012/407/1995-IR(B-II)]

SHEESH RAM, Section Officer

ANNEXURE

BEFORE Dr. R. K. YADAV, PRESIDING OFFICER,
CENTRAL GOVT. INDUSTRIAL TRIBUNAL
NO. 1, KARKARDOOMA COURTS
COMPLEX : DELHI
I. D. No. 225/2011

Smt. Sangeeta Khanna,
Pkt. A-10/27-B, Kalkaji Extn.,
New Delhi.

...Workman

Versus

The General Manager,
Canara Bank, Delhi Circle,
Marshal House,
New Delhi.

...Management

AWARD

1. Amalgamation of the Laxmi Commercial Bank with the Canara Bank (in short the Bank) in 1985, resulted in to formation of one business from those run by the two banks. As a result of that merger of business, Smt. Sangeeta Khanna (hereinafter referred to as the claimant) become an employee of the Bank. On 29-2-92, while working as a clerk in Kalkaji branch of the Bank, she allegedly mis-behaved with Sh. V. N. Malhotra, Special Assistant and Sh. T. N. Ramakrishnan, the Manager of the branch. She threw away articles lying on manager's table and pushed chair hither and thither. Smt. Isha Bhandari, and Sh. L. N. Arya tried to pacify her but in vain. She was taken to strong room by Smt. Isha Bhandari and offer a glass of water, which she splashed. That incident was witnessed by the customers and staff present in the branch. She was suspended and charge-sheeted for the misconduct. A domestic enquiry was constituted. Sh. Ram Kumar, the Enquiry Officer, conducted the enquiry and submitted his report dated 23-10-92 to the Disciplinary Authority. A punishment of stoppage of three increments with cumulative effect was awarded to her. She was reinstated and directed to report at Nehru Place branch of the Bank.

2. Appeal filed by the claimant came to be dismissed. She approached to the Canara Bank Employees Congress (Regd.), Delhi, for espousal of her claim. The aforesaid union, sent a demand to the Bank for withdrawal of punishment. When demand of the union was not conceded to, a dispute was raised before the Conciliation Officer. On failure of conciliation proceeding, the dispute was referred to this Tribunal by the appropriate Govt. for adjudication vide order No. L-12012/407/95-IR(B-I), New Delhi dated 3rd of January, 1997, with the following terms:—

“Whether the action of the management of Canara Bank in awarding of stoppage of three increments with cumulative effect vide their order dated 15-2-93 to Smt. Sangeeta Khanna, clerk was justified and legal? If not, to what relief is the said workman entitled and with what date?”

3. Claim statement was filed by the claimant, pleading that since the date of merger of the Laxmi Commercial Bank, the management of the Bank started step motherly treatment with the employees of erstwhile Laxmi Commercial Bank. She unfolds that action of the Bank was challenged before the Apex Court and the Court directed the Bank to take those employee, who were excluded from the list of employees, in its services on the same terms and conditions as applicable to them before amalgamation. The Bank has been perpetuating a policy of harassment and victimization of the employees of the erstwhile Laxmi Commercial Bank.

4. The claimant details that the bank refused to sanction casual leave in her favour, when she exhausted her maternity leave period. She was threatened with a

disciplinary action in case of her not joining the duties. She joined her duties in hope that attitude of her officers would change. However her hope turned to be wrong. The Bank was seeking opportunities on one pretext or the other to harass the employees of the category referred above. She informed Circle Office as well as Regional Office in 1991, about maltreatment and harassment, being subjected to her at Kalkaji branch. No curative steps were taken. On the other hand the authorities started issuing fake memos to her.

5. The claimant unfolds that on 29-2-92 at about 12 noon Sh. T. N. Ramakrishna, the Manager, shouted at her to keep shut up before the staff and the customers. He lowered her image in the eyes of her colleagues and customers. She had not offered any provocation to him. She was shocked with said attitude of the Manager and went to know reasons of such insulting behaviour. The Manager could not give any reason for the said behaviour. On the other hand, he ordered her forcible removal and got her illegally confined in the strong room.

6. The claimant further details that vide order dated 14-3-92, she was suspended. A charge-sheet was also served on her, which contained false allegations to the knowledge of the Bank. She was surprised and shocked that instead of taking action against the Manager, she was made a scape-goat. She submitted her statement of defence on 30-3-92, denying all allegations levelled on her. In spite of satisfactory explanation, the Bank constituted an enquiry and appointed Sh. Ram Kumar as Enquiry Officer. She projects that neither the charge-sheet nor order constituting an enquiry against her was issued by the Competent Authority.

7. She attacks the action of the Bank, claiming that no Presenting Officer was appointed and Enquiry Officer acted as presenting officer as well as judge of the matter. The Enquiry Officer made roving enquiries and conducted searching cross-examination of the defence witnesses. In order to fill in the gaps, he even re-examined the witnesses of the Bank. He was instrumentally of the Bank and did not act as an independent person. He grossly violated principles of natural justice. The enquiry conducted was an empty formality. He gave credence to the statement of the witnesses examined by the Bank and brushed aside the defence witnesses. In his report, he ensured to record finding against the claimant. The enquiry conducted by him was not in consonance with the bipartite settlement and rules, which were in vogue.

8. The claimant concedes that show cause notice dated 28-10-92 was received by her. She submitted a detailed reply on 16-11-92, projecting infirmities in the report of the Enquiry Officer. On 20-11-92, the Deputy General Manager communicated to her that he agreed with findings and proposed punishment of stoppage of four increments with commulative effect. She was called for personal hearing on 3-12-92. According to her, the

Deputy General Manager was not her Disciplinary Authority and rules do not empower the Bank to award punishment of stoppage of increments with cumulative effect. She appeared for personal hearing and questioned validity of the findings of the Enquiry Officer and authority of the Deputy General Manager to impose penalty, referred above. Her submission was not appreciated and punishment of stoppage of three increments with cumulative effect was awarded to her, vide order dated 11-2-93. She was reinstated but period of suspension was treated as not spent on duty and not to be reckoned for any purpose. She preferred an appeal which was rejected mechanically on 12-7-1993. She claimed that the enquiry be declared as violative of principles of natural justice and penalty awarded to her may be set aside.

9. The Bank demurred the claim that employees of erstwhile Laxmi Commercial Bank were treated step-motherly. It projects that scheme of amalgamation was made and employees, whose names appeared in the schedule of the said scheme, were taken over by the Bank in terms of said scheme. Subsequently names of all employees were included in the schedule, as per directions of the Apex Court. The Bank pleades that on 29-2-92 around 12.00 noon, the claimant was found speaking in a very high tone to Sh. V. N. Malhotra, Special Assistant, in its Okhla Kalkaji branch. Sh. T. N. Ramakrishnan, Manager, requested her to lower her voice but she did not listen to him. Since it caused disturbance to the work of the Bank and the claimant had not paid any heed to the advice of the Manager, he asked her to shut up. Immediately she threw away various articles lying on his table, caused partly damage to one of the adding machine and pushed chairs hither and thither. Smt. Isha Bhandari and Sh. L. N. Arya tried to claim her down but she persisted in her disorderly behaviour. Thereafter she was taken to strong room by the Smt. Isha Bhandari and offered a glass of water, which she splashed. Entire incident was witnessed by the customers and staff present in the branch.

10. Facts were investigated by Sh. P. K. Batra, who submit his report dated 6-3-92, confirming her acts of misconduct. She was suspended on 14-3-92 and a charge-sheet was served on her. An enquiry was constituted and Sh. Ram Kumar was appointed as Enquiry Officer by the Disciplinary Authority. Issuance of charge-sheet as well as appointment of Enquiry Officer is claimed to have been made by the Competent Authority.

11. The Bank proceeds further claiming that it was not obligatory on the Disciplinary Authority to appoint a presenting officer. It has been disputed that the Enquiry officer acted as a presenting officer as well as a judge. He conducted the enquiry with all fairness and gave full and fair opportunities to the claimant to defend herself. She appointed a defence representative of her choice, who cross-examined all witnesses of the Bank. The Enquiry Office has a right to re-examine any witness, if any additional

evidence comes over the record during the course of cross-examination of the witnesses by the other side. She was allowed to examine her-self, and other witnesses in defence. Her claim that the Enquiry Officer acted as an instrumentality of the Bank is uncalled for. The Enquiry Officer had taken into account the evidence brought before him and rightly reached the findings recorded by him.

12. The Disciplinary Authority accepted findings of the Enquiry Officer and gave an opportunity to her to present facts on proposed punishment. After granting personal hearing, punishment of stoppage of three increments with cumulative effect was award to her. She preferred an appeal, which was dismissed by the Appellate Authority. Her claim that the Deputy General Manager was not Disciplinary Authority, is baseless, pleads the Bank. Stoppage of increments with cumulative effect is in accordance with service code applicable to the employees of the Bank. After participating in the enquiry, she started claiming that the enquiry was not in consonance with service code.

13. The Bank presents that the Enquiry Officer was independent and contention of the claimant, to the effect that he was biased and prejudiced, are baseless. He gave full opportunity to her to defend herself. Conclusions drawn by the Enquiry Officer, in his report, are based on evidence and reasons. He has appreciated depositions of witnesses, giving due weight to their testimony. Punishment awarded to her commensurate to her misconduct. Para 85 of the Shastri Award provides for stoppage of increments with cumulative effect. Her service conditions are governed by Shastri Award, Desai Award and Bipartite Settlement, pleads by the Bank.

14. Her appeal was considered and found un-tenable. The Bank presents that in view of these facts, the appropriate Govt. ought to have refused to refer the dispute for adjudication. This Tribunal cannot exercise a powers to adjudicate the terms of reference, agitates the Bank. A prayer has been made that the claim may be discarded, being devoid of merits.

15. On the pleading of the parties, following issue were settled:

- (i) Whether the domestic enquiry conduct by the management against the workman is fair and proper?
- (ii) In terms of reference.

16. Ram Kumar was examined by the bank to discharge onus of the preliminary issue. Smt. Sangeeta Khanna entered the witness box to rebut facts proved by the bank. After hearing the parties and on consideration of evidence and written submissions the preliminary issue was decided in favour of the bank and against the claimant, vide order dated 4-8-11.

17. Claimant opted not to advance argument on

proportionality of punishment awarded to her. Ms. Neha Bhatnagar, authorized representative, advanced arguments on behalf of the bank. I have given my careful considerations to the argument advanced and cautiously perused the record. My findings on questions referred in the reference order are as follows :

18. As emerge out of the record, Smt. Sangeeta Khanna was charge-sheeted for gross misconduct committed by her on 29-2-92 at her work place. The events, relating to her misconduct, are as follows:

"On 29-2-92, at around 12 noon, while working in the OD Section she was speaking in a very high tone to Shri V. N. Malhotra (49957) Special Assistant working in S.B. Section. Shri Rama Krishnan (7660) Manager requested her repeatedly to lower her voice which she failed to do. As her continued speaking in a high tone was disturbing his work as well as other besides a large number of customers being present in the branch, Shri Rama Krishnan asked her to shut up. She immediately thereafter threw away the key box containing duplicate keys lying on the Manager's table, two methodic electronic adding machines, punching machines, ledgers, registers, stamp pad, files etc. besides pushing the chairs which act of her caused partial damage to one of the adding machines. Smt. Isha Bhandari (45333) Clerk and Sri L.N. Arya (18963), Special Assistant tried to calm her down but she persisted with her disorderly behaviour of throwing the said articles. Thereafter she was taken to the strong room by Smt. Isha Bhandari and offered a glass of water which she splashed".

19. Misconducts detailed above amounted to willful disobedience of lawful and reasonable orders of the branch manager, riotous or disorderly behaviour on the premises of the bank, willful damage and attempt to cause damage to the property of the bank and those acts being prejudicial to the interest of the bank, within the meaning of clause 3 (d), 3(k), 3(j) and 3(m) of the Canara Bank Service Code, claims the Bank. It was argued that punishment awarded to the claimant was far below in proportion to misconducts committed by her. On the other hand the claimant urged, in her claim statement that the Bank was not competent to award punishment of stoppage of three increments with cumulative effect. As emerge out of her claim, no such power is available to the Bank to award punishment of "stoppage of increment" that too with "cumulative effect". The Bank agitates that such power is available to it under awards, bipartite settlements and Service Code applicable to the claimant.

20. For an answer to proposition so raised, it is expedient to detail disciplinary powers available to the Bank. Shastri Award enlists gross misconduct and minor misconduct in respect of which disciplinary action may be

taken against an employee. In para 521 (4) it defines gross misconduct as following acts and omissions on the part of an employee :

“(4) By the expression “gross misconduct” shall be meant any of the following acts and omissions on the part of an employee;

- (a) engaging in any trade or business outside the scope of his duties except with the permission of the bank;
- (b) unauthorized disclosure of information regarding the affairs of the bank or any of its customers or any other person connected with the business of the bank which is confidential or the disclosure of which is likely to be prejudicial to the interests of the bank;
- (c) drunkenness or riotous or disorderly or indecent behaviour on the premises of the bank;
- (d) willful damage or attempt to cause damage to the property of the bank or any of its customers;
- (e) willful insubordination or disobedience of any lawful and reasonable order of the management or of a superior;
- (f) habitual doing of any act which amounts to “minor misconduct” as defined below, “habitual” meaning a course of action taken or persisted in notwithstanding that at least on three previous occasions censure or warnings have been administered or an adverse remark has been entered against him;
- (g) willful slowing down in performance of work;
- (h) gambling or betting on the premises of the bank;
- (i) speculation in stocks, shares, securities or any commodity, whether on his account or that of any other persons;
- (j) doing any act prejudicial to the interests of the bank, or gross negligence or negligence involving or likely to involve the bank in serious loss;
- (k) giving or taking a bribe or illegal gratification from a customer or an employee of the bank;
- (l) abetment or instigation of any of the acts or omissions above mentioned”.

21. In para 521 (5) penalties which may be imposed for gross misconduct have been detailed which are extracted thus :

“(5) An employee found guilty of gross misconduct may :

- (a) be dismissed without notice, or
- (b) be warned or censured, or have an adverse remark entered against him, or
- (c) be fined, or
- (d) have his increment stopped, or

(e) have his misconduct condoned and be merely discharged.

22. Minor misconduct shall mean any of the following acts and omission on the part of an employee, as obtained in para 521 (6) of the Shastri Award:

“(6) By the expression “minor misconduct” shall be meant any of the following acts and omissions on the part of an employee;

- (a) absence without leave or overstaying sanctioned leave without sufficient grounds;
- (b) unpunctual or irregular attendance;
- (c) neglect of work, negligence in performing duties;
- (d) breach of any rule of business of the bank or instruction for the running of any department;
- (e) committing nuisance on the premises of the bank;
- (f) entering or leaving the premises of the bank except by an entrance provided for the purpose;
- (g) attempt to collect or collecting monies within the premises of the bank without the previous permission of the management or except as allowed by any rule or law for the time being in force;
- (h) holding or attempting to hold or attending any meeting on the premises of the bank without the previous permission of the management or except in accordance with the provisions of any rule or law for the time being in force;
- (i) canvassing for union membership or collection of union dues or subscriptions within the premises of the bank without the previous permission of the management or except in accordance with the provisions of any rule or law for the time being in force;
- (j) failing to show proper consideration, courtesy or attention towards officers, customers or other employees of the bank; unseemly or unsatisfactory behavior while on duty;
- (k) marked disregard of ordinary requirements of decency and cleanliness in person or dress;
- (l) incurring debts to an extent considered by the management as excessive;

23. Punishment which may be awarded for minor misconduct have been maintained in para 521 (7) of the said award, which are extracted thus:

“(7) An employee found guilty of minor misconduct may:

- (a) be warned or censured; or
- (b) have an adverse remark entered against him, or
- (c) have his increment stopped for a period not longer than six months”.

24. In para 18.28, Desai Award makes it clear that procedure laid down by Shastri Tribunal "for termination of employment and taking other disciplinary action" in paragraphs 520 and 521 and in paragraphs 518 and 519 to the extent quoted above, subject to the modification indicated shall remain the same.

25. In bipartite settlement dated 19th October, 1996 commonly known as 1st bipartite settlement no change was made either in the misconducts described as gross misconduct or minor misconduct, besides penalties provided for the same. In para 19.9 it was mentioned that a workman find guilty of a misconduct, whether gross or minor, shall not be given more than one punishment in respect of any charge. In settlement dated 22-11-79, punishments provided for gross-misconduct were supplemented with following punishments, besides those already provided :

- (a) have his special allowance withdrawn, or
- (b) have his pay reduced to the next lower stage up to a maximum period of two years, in case he had reached the maximum in the scale of pay.

26. In sixth bipartite settlement dated 14-2-95 following sub clauses were added under the head "gross misconduct", defined in 1st bipartite settlement and Shastri Award :

- (p) remaining unauthorisedly absent without intimation continuously for a period exceeding 30 days;
- (q) misbehaviour towards customers arising out of bank's business;
- (r) contesting election for Parliament/Legislative Assembly/Legislative Council/Local Bodies/Municipal Corporation/Panchayat, without explicit

written permission of the bank;

27. Following clauses were also added under "minor misconduct" defined in 1st bipartite settlement and Shastri Award :

- (n) refusal to attend training programmes without assigning sufficient and valid reason.
- (o) not wearing while on duty, identity card issued by the bank.

28. Punishments, provided for gross misconduct by Shastri Award and 1st bipartite settlement were substituted by sixth bipartite settlement. In para 21 (4) following punishments were provided for gross misconduct.

- (a) be dismissed without notice; or
- (b) be removed from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant

time and without disqualification from future employment; or

- (c) be compulsorily retired with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- (d) be discharged from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- (e) be brought down to lower stage in the scale of pay up to a maximum of two stages; or
- (f) have his increment/s stopped with or without cumulative effect; or
- (g) have his special pay withdrawn; or
- (h) be warned or censured, or have an adverse remark entered against him; or
- (i) be find.

29. Various acts of misconduct were added to the definition of "gross misconduct" by bipartite settlement dated 10-4-2002. Sub-para (5) of the said settlement defines "gross-misconduct" as any of the following acts and omissions on the part of an employee:

(5) By the expression "gross misconduct" shall be meant any of the following acts and omissions on the part of an employee :

- (a) engaging in any trade or business outside the scope of his duties except with the written permission of the bank;
- (b) unauthorized disclosure of information regarding the affairs of the bank or any of its customers or any other person connected with the business of the bank which is confidential or the disclosure of which is likely to be prejudicial to the interests of the bank;
- (c) drunkenness or riotous or disorderly or indecent behaviour on the premises of the bank;
- (d) willful damage or attempt to cause damage to the property of the bank or any of its customers;
- (e) willful insubordination or disobedience of any lawful and reasonable order of the management or of a superior;
- (f) habitual doing of any act which amounts to "minor misconduct" as defined below, "habitual" meaning a course of action taken or

persisted in, notwithstanding that at least on three previous occasions censure or warnings have been administered or an adverse remark has been entered against him;

- (g) willful slowing down in performance of work;
- (h) gambling or betting on the premises of the bank;
- (i) speculation in stocks, shares, securities or any commodity whether on his account or that of any other persons;
- (j) doing any act prejudicial to the interest of the bank or gross negligence or negligence involving or likely to involve the bank in serious loss;
- (k) giving or taking a bribe or illegal gratification from a customer or an employee of the bank;
- (l) abetment or instigation of any of the acts or omission above mentioned;
- (m) knowingly making a false statement in any document pertaining to or in connection with his employment in the bank;
- (n) resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank and where the employee is caught in the act of resorting to such unfair practice and a report to that effect has been received by the bank from the concerned authority;
- (o) resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank in cases not covered by the above Sub-clause (n) and where a report to that effect has been received by the bank from the concerned authority and the employee does not accept the charge;
- (p) remaining unauthorisedly absent without intimation continuously for a period exceeding 30 days;
- (q) misbehaviour towards customers arising out of bank's business;
- (r) contesting election for Parliament/Legislative Assembly/Legislative Council/Local Bodies/Municipal Corporation/Panchayat, without explicit written permission of the bank;
- (s) conviction by a criminal Court of Law for an offence involving moral turpitude;
- (t) indulging in any act of 'sexual harassment' of any woman at her workplace;

Note: Sexual harassment shall include such unwelcome sexually determined behaviour (whether directly or otherwise) as

- (a) physical contact and advances;
- (b) demand or request for sexual favours;

(c) sexually coloured remarks;

(d) showing pornography; or

(e) any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

(u) (For State Bank of India)

the giving or taking or abetting the giving or taking of dowry or demanding directly or indirectly from the parents or guardians of a bride or bridegroom, as the case may be, any dowry".

30. Punishments for "gross misconduct" were enlisted in sub-para (6) of the said settlement as follows:

"(6) An employee found guilty of gross misconduct may:

- (a) be dismissed without notice; or
- (b) be removed from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- (c) be compulsorily retired with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- (d) be discharged from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- (e) be brought down to lower stage in the scale of pay up to a maximum of two stages; or
- (f) have his increment/s stopped with or without cumulative effect; or
- (g) have his special pay withdrawn; or
- (h) be warned or censured, or have an adverse remark entered against him; or
- (i) be find.

31. Sub-para (7) of the said settlement defines "minor misconduct" as any of the following acts and omissions on the part of an employee :

- (a) absence without leave or overstaying sanctioned leave without sufficient grounds;
- (b) unpunctual or irregular attendance;
- (c) neglect of work, negligence in performing duties;
- (d) breach of any rule of business of the bank or instruction for the running of any department;
- (e) committing nuisance on the premises of the bank;

- (f) entering or leaving the premises of the bank except by an entrance provided for the purpose;
- (g) attempt to collect or collecting moneys within the premises of the bank without the previous permission of the management or except as allowed by any rule or law for the time being in force;
- (h) holding or attempting to hold or attending any meeting on the premises of the bank without the previous permission of the management or except in accordance with the provisions of any rule or law for the time being in force;
- (i) canvassing for union membership or collection of union dues or subscriptions within the premises of the bank without the previous permission of the management or except in accordance with the provisions of any rule or law for the time being in force;
- (j) failing to show proper consideration, courtesy or attention towards officers, customers or other employees of the bank, unseemly or unsatisfactory behavior while on duty;
- (k) marked disregard of ordinary requirements of decency and cleanliness in person or dress;
- (l) incurring debts to an extent considered by the management as excessive;
- (m) resorting to unfair practice or any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank in cases not covered by sub-clause (n) under "Gross Misconduct" and where a report to that effect has been received by the bank from the concerned authority and the employee accepts the charge;
- (n) refusal to attend training programmes without assigning sufficient and valid reasons;
- (o) Not wearing, while on duty, identity card issued by the bank;
- (p) Not wearing, while on duty, the uniforms supplied by the bank, in clean condition.

32. Punishments, which may be awarded for minor misconduct, are detailed in sub para (8) of the settlement as follows :

"8. An employee found guilty of minor misconduct may:

- (a) be warned or censured; or
- (b) have an adverse remark entered against him; or
- (c) have his increment stopped for a period not longer than six months".

33. The Canara Bank Service Code, as on 292.92, projected following acts as "gross misconduct";

- (a) Knowingly making the false statement in any return, report declaration, statement, bill or information submitted or given in the course of his employment in the Bank;
- (b) engaging in any trade or business outside the scope of his duties except with the written permission of the bank;
- (c) Breach of obligation of secrecy imposed on him by Regulation 4 of Chapter VI of this Code, or the disclosure of any secret or confidential information in contravention of the said Regulation;
- (d) willful insubordination or disobedience of any lawful and reasonable order of the management or of a superior;
- (e) willful slowing down in performance of work;
- (f) giving or taking a bribe or illegal gratification from a customer or an employee of the bank;
- (g) gambling or betting on the premises of the bank;
- (h) speculation in stocks, shares, securities or any commodity whether on his account or that of any other persons;
- (i) gross negligence i.e. to say negligence involving or likely to involve the Bank in serious loss.
- (j) willful damage or attempt to cause damage to the property of the bank or any of its customers;
- (k) drunkenness or riotous or disorderly or indecent behavior on the premises of the bank;
- (l) habitual doing of any act which amounts to "minor misconduct" as defined below, "habitual" meaning a course of action taken or persisted in, notwithstanding that at least on three previous occasions censure or warnings have been administered or an adverse remark has been entered against him;
- (m) doing any act which is prejudicial to the interest of the bank;
- (n) abetment or instigation of any of the acts or omissions above mentioned;
- (o) knowingly making a false statement in any document pertaining to or in connection with his employment in the bank.
- (p) resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank and where the employee is caught in the act of resorting to such unfair practice and a report to that effect has been received by the bank from the concerned authority.

- (q) resorting to unfair practice of any nature whatsoever in any examination conducted by the Indian Institute of Bankers or by or on behalf of the bank in cases not covered by the above sub-clause (p) and where a report to that effect has been received by the bank from the concerned authority and the employee does not accept the charge.

34. Punishment, which may be imposed for gross misconduct, are enumerated by the Service Code as follows:

"4. An employee found guilty of gross misconduct may :

- a. be dismissed without notice; or
- b. be removed from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- c. be compulsorily retired with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- d. be discharged from service with superannuation benefits i.e. Pension and/or Provident Fund and Gratuity as would be due otherwise under the Rules or Regulations prevailing at the relevant time and without disqualification from future employment; or
- e. be brought down to lower stage in the scale of pay up to a maximum of two stages; or
- f. have his increment/s stopped with or without cumulative effect; or
- g. have his special pay withdrawn; or
- h. be warned or censured, or have an adverse remark entered against him; or
- i. be fined.

35. Whether punishment of having "increment stopped" as provided, prior to settlement dated 10-4-2002, would mean an increment or further increments? As noted above, punishment in that regard nowhere specify it to be future years. However, Shastri Award spoke of withholding of future increments as a measure of punishment. In paragraph 85, it was provided therein that an order of punishment should mention whether withholding of increment will have the effect of postponing future increments. For convenience provisions of para 85 of Shastri Award are detailed as follows:

"85. Workmen should normally have the benefit of the annual increments as a matter of course, provided there is not a substantially good reason to deprive

them of the same either because of their misconduct or gross inefficiency. The wage scale has to be so devised that it provides for the growing needs of the workman and his family. Stoppage of increments, therefore, is more or less by way of punishment. The giving of increments should not be regarded as a matter of bounty at the sweet will and pleasure of the management. At the same time the management should have the right to see that workmen keep up the normal standard of efficiency and not lapse into indifference and inefficiency because of the assured prospect of an incremental scale. We therefore, direct that increments should normally be given and stoppage of increments by managements should be only by way of punishment for proved misconduct or gross inefficiency. As a working rule, if in the previous year there are three adverse remarks in the service register of the workman entered against him as a result of the management's enquiry into his conduct and after consideration of any explanation given by him, it may be taken as a prima facie case for stopping the increment at the next stage and for the next year. If an employee's increment is to be withheld it should only be done after a proper charge-sheet has been framed against him and he has been given adequate opportunity to defend himself. The order in writing withholding the increment should also mention whether it will have the effect of postponing future increments."

36. Section 13 of the General Clauses Act, 1897 enacts that in all Central Acts and Regulations, unless there is anything repugnant in the subject or context (1) words importing the masculine gender shall be taken to include the females, and (2) words in the singular include the plural and vice versa. Though the provisions of Section 13 of the aforesaid Act is not applicable to the provisions of bipartite settlements and Sastri Award, referred above, yet applying the analogy enacted therein the words have his "increment stopped" shall be construed. The word "increment" shall represent singular as well as plural, thereby meaning that at appropriate stage it may be read as "increments" also. Such construction was drawn by the Sastri Tribunal, which is evident out of para 85 of its award. Consequently I am constrained to announce that the punishment "have his increment stopped" shall be read "have his increments stopped". In view of these reasons, it is announced that the bank may award a penalty of stoppage of future increments to its employee on proof of gross misconduct.

37. As projected above Smt. Sangeeta Khanna had disobeyed lawful orders of her superior, displayed riotous or disorderly behaviour at the premises of the bank, caused damage and attempted to cause damage to the property to the bank and acted in a manner prejudicial to the interest of the bank. Her case has been that the branch manager

shouted "shut up" at her before her colleagues and customers. Question, which may require this Tribunal to give considerable thoughts, is as to whether she was provoked by the branch manager to behave in a disorderly manner? If yes whether it mitigates her acts of misconduct? As facts tell Smt. Sangeeta Khanna was talking in loud tone to Sh. V.N. Malhotra. She was requested by the branch manager to lower down her tone, but to no avail. At that juncture the branch manager commanded to her shut up. When an employee talks in loud tone with his colleagues and disturbs tranquility and atmosphere of work place, his superior is duty bound to maintain order. Command of superior to such an employee to lower down his tone cannot be said to be provocative. When such a command is not obeyed, the superior has a right to order his subordinate to shut up. Such a harsh command cannot permit a subordinate to loose his temper and behave in a riotous or disorderly manner. Facts detailed above no where show that the branch manager provoked Smt. Sangeeta Khanna to behave in riotous or disorderly manner.

38. Assuming that command of "shut up" could provoke Smt. Khanna, even in that situation, she cannot claim exoneration from her acts of gross misconduct. The fact that the branch manager was not proceeded departmentally would not lessen her acts of gross misconduct. Discipline at the work place was to be maintained by Smt. Khanna. She cannot make discipline to suffer, when such a command is given to her. Provocation, if any, would show such circumstances which may justify leniency in punishment. It could if not wipe out her acts of misconduct. Not only that Smt. Khanna behaved in riotous

or disorderly manner, she threw away articles lying on the table of branch manager. By that act one of the adding machines was damaged. She throws away chairs hither and thither. When a glass of water was offered to her, she splashed it. All these events make out that Smt. Khanna created a scene and behaved like a bull in China shop. Therefore it emerges that misconducts committed by Smt. Khanna were gross and major. She cannot escape punishment for such misconducts.

39. Punishment award to her was of stoppage of three increments with cumulative effect. As held above, the bank was competent to stop more than one increment that too with cumulative effect, as a measure of punishment. Whether the punishment award to Smt. Khanna is disproportionate to acts of her misconduct? At the cost of the repetition, it is said that acts of misconduct of Smt. Khanna were grave and serious. Bank has been considerate enough when punishment was awarded to her. It cannot be said that punishment was disproportionate, not to talk of shockingly disproportionate, to acts of her misconduct. No case of victimization or unfair labour practice emerge over the record. There are no reasons with this Tribunal to interfere with the discretion of the bank in award of punishment to Smt. Khanna. Accordingly I find the act of the bank, in award of punishment to Smt. Khanna vide order dated 15-2-93, to be legal as well as justified. No case of interference with that punishment is made out. Smt. Khanna is not entitled to any relief. Questions, referred to this Tribunal, are answered accordingly, and an award is passed. It be sent to the appropriate Govt. for publication.

Dated : 9-9-2011

Dr. R. K. YADAV, Presiding Officer